

SEVENTH ANNUAL REPORT
OF THE
RAILROAD COMMISSION
OF THE
STATE OF FLORIDA

For the Year Ending March 1, 1904.



TALLAHASSEE, FLORIDA, 1905.

COLLINS BOOK AND JOB OFFICE.

All Work Neatly and Promptly Done.

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COMMISSIONERS.

R. H. M. DAVIDSON, <i>Chairman</i> , Commissioner;	} July 1, 1897, to January 3, 1899.
HENRY E. DAY, Commissioner;	
JOHN M. BRYAN, Commissioner;	
J. L. NEELEY, JR., <i>Secretary</i> .	
HENRY E. DAY, <i>Chairman</i> , Commissioner;	} January 3, 1899, to January 8, 1901.
JOHN M. BRYAN, Commissioner;	
JOHN L. MORGAN, Commissioner;	
JOHN L. NEELEY, <i>Secretary</i> .	
*HENRY E. DAY, <i>Chairman</i> , Commissioner;	} New term beginning January 8, 1901.
JOHN M. BRYAN, Commissioner;	
JOHN L. MORGAN, Commissioner;	
†JOHN L. NEELEY, <i>Secretary</i> .	
JOHN L. MORGAN, <i>Chairman</i> , Commissioner;	} October 1, 1902, to January 6, 1903.
JOHN M. BRYAN, Commissioner;	
R. HUDSON BURR, Commissioner;	
ROYAL C. DUNN, <i>Secretary</i> .	
JEFFERSON B. BROWNE, <i>Chairman</i> , Commissioner;	} Present term be- gan Jan. 6, 1903.
JOHN L. MORGAN, Commissioner;	
B. HUDSON BURR, Commissioner;	
ROYAL C. DUNN, <i>Secretary</i> .	

*Henry E. Day, resigned October 1, 1902, and was succeeded by R. Hudson Burr. At the same time John L. Morgan was elected Chairman for the rest of the term.

†Resigned October 1st, 1901, and Royal C. Dunn was elected as his successor.

Report of the Railroad Commission.

OFFICE OF THE RAILROAD COMMISSION,

STATE OF FLORIDA,

Tallahassee, March 1, 1904.

To His Excellency,

W. S. JENNINGS,

Governor of Florida.

Sir:—The Railroad Commissioners of the State of Florida have the honor to submit to you herewith, in accordance with the requirements of the Laws of Florida their seventh annual report for the year ending March 1, 1904.

COMPLAINTS.

In our last annual report we stated that there were 88 complaints received and placed on file by the Commission during that year. During the time included within this report there have been 102 complaints filed with the Commission against the Railroads and Common Carriers doing business within the State of Florida.

The following is a brief statement of these complaints:

- 1770—Advance in rate on grits from Tampa to Zolfo. Jos. H. Brown, Zolfo, vs. A. C. L. Ry.
- 1771—Lack of proper depot facilities at Vero. C. F. Gifford, Vero, vs. F. E. C. Ry.
- 1772—Failure to stop passenger train at depot. C. B. Williard, Live Oak, vs. S. A. L. Ry.
- 1773—Boat damaged by drawbridge. Aaron Yeoman, vs. S. A. L. Ry.

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- 1774—Minimum rate on box of chewing gum. J. B. Epperson, Willston, vs. A. C. L. Ry.
- 1775—Excessive rates on coal from Pensacola to DeFuniak Springs. J. H. Donalson, DeFuniak Springs, vs. L. & N. Railroad.
- 1776—Excessive switching charges. Complaint of G. G. Patterson.
- 1777—Delay in payment of claims for overcharge on oranges. J. D. Bell, St. Petersburg, vs. A. C. L. Ry.
- 1778—Delay in payment of claims, account of damage to shipment of cabbage and beets. M. L. Traylor, Sumterville, vs. S. A. L. Ry.
- 1779—Loss box of household goods. L. J. Johnston, Oak Hill, vs. F. E. C. Ry.
- 1780—Rates on hay and grain to Oviedo. McCall & Lawton vs. A. C. L. R. R. Co.
- 1781—Rate on live stock, Kissimmee to Tampa. W. B. Makinson, Kissimmee, vs. A. C. L. Ry.
- 1782—Rate on gasoline, Jacksonville to Marianna. Davis Bros., Marianna, vs. S. A. L. Ry.
- 1783—Failure to furnish cars for transportation of lumber. Venable & Jones, Kanapaha, vs. S. A. L. Ry.
- 1784—Excessive rates on persimmons.
- 1785—Petition for union depot at Tampa. Citizens of Tampa vs. S. A. L. and A. C. L. Railroads.
- 1786—Rate on watermelons to Northern, Eastern and Western States. Anthony Truckers Union vs. S. A. L. Ry.
- 1787—Petition for agency at Deerland. T. J. Hinote vs. L. & N. R. R.
- 1788—Refusal to allow shippers to route freight. B. A. Hutchins, Bushnell, vs. S. A. L. Ry.
- 1789—Excessive demurrage charges. T. A. Jones, Jacksonville, vs. S. A. L. Ry.
- 1790—Failure to furnish cars for transportation of lumber. E. E. West, Westlake, vs. S. A. L. Ry.

- 1791—In reference to order notify shipments. White, Walton & Co. vs. F. E. C. Ry.
- 1792—Lack of proper depot facilities at Bronson. O. N. Sanders and others vs. S. A. L. Ry.
- 1793—Petition for agency at Ellzey. T. W. Shands & Co. vs. S. A. L. Ry.
- 1794—Inadequate depot facilities at Tallahassee. Tallahassee Board of Trade vs. S. A. L. Ry.
- 1795—Right of shippers to route freight. A. M. Terwilligar, Mimms, vs. F. E. C. Ry.
- 1796—Request of F. E. C. Ry. for extension of mileage rates.
- 1797—Excessive demurrage charges. T. A. Jones, Jacksonville, vs. S. A. L. Ry.
- 1798—In reference to notices required on arrival of freight. E. W. Amdsen, Ormond, vs. F. E. C. Railway.
- 1799—Classification of Herty Turpentine Cups. Chatanooga Pottery Co. vs. The Railroads in Florida.
- 1800—Failure to furnish cars for the transportation of lumber. D. W. Oglesby, Marietta, vs. S. A. L. Ry.
- 1801—Loss and damage to shipment of oranges. K. W. Wiggins, Manatee, vs. Independent Line of Steamers.
- 1802—Rule governing purchase of passenger tickets, request of the railroads for.
- 1803—Petition for re-establishment of agency at Ponce de Leon. Citizens of Ponce de Leon vs. L. & N. R. R.
- 1804—In reference to failure of railroads to file special rates with the Commission.
- 1805—Discontinuance of Lawrences as a flag station. H. D. Durr vs. S. A. L. Ry.
- 1806—Dangerous condition of the road-bed of the Sanford and St. Petersburg Division of the A. C. L. J. B. McNeill & Co., Riverland, vs. A. C. L. R. R.

- 1807—In reference to loss of shipments in transit. J. H. McLain, Phosphoria, vs. A. C. L. R. Ry.
- 1808—In reference to classification of turpentine still. McMillan & Co. vs. A. C. L. R. Ry.
- 1809—Loss of baggage. W. S. Doyle, Sanibel, vs. A. C. L. Ry.
- 1810—Request of the railroads for a rule governing the overloading of cars with lumber.
- 1811—Failure to furnish cars for the transportation of lumber. R. D. Medlin & Co. vs. S. A. L. Ry.
- 1812—Failure to furnish cars for the transportation of lumber. M. A. Stearns, Bloomingdale, vs. S. A. L. Ry.
- 1813—Petition for depot at Kendrick. Citizens of Kendrick vs. A. C. L. Ry.
- 1814—Failure to fill out freight bills. T. W. Lundy, Perry, vs. S. & S. P. Ry.
- 1815—In reference to the construction of sidetracks and spurs. Complaint of C. F. Barber, Macclenny.
- 1816—Delay of passenger train between Orlando and Wildwood. W. T. Sims, Orlando, vs. S. A. L. Ry.
- 1817—Failure to furnish cars for transportation of lumber. Florida Land Company vs. S. A. L. Ry.
- 1818—In reference to overcharge on ice. W. H. Milton, Marianna, vs. L. & N. Ry.
- 1819—Rate on sawmill machinery. J. J. Willie, Lloyd, vs. S. A. L. Ry.
- 1820—Failure to furnish cars for the transportation of lumber. H. Poleman, Archer, vs. S. A. L. Ry.
- 1821—In reference to erroneous mileage between Jacksonville and Pomona. Holmes Erwin vs. A. C. L. Ry.
- 1822—Refusal to bill freight after a certain time. T. W. Smith, Center Hill, vs. A. C. L. Ry.
- 1823—Loss and damage to household goods. R. D. Spiney, White Springs, Fla., vs. A. C. L. Ry.
- 1824—In reference to rates on sweet potatoes. H. C. Higginbotham, Callahan, vs. S. A. L. Ry.

- 1825—Failure to furnish cars for the transportation of lumber. G. W. Mills, Live Oak, vs. S. A. L. Ry.
- 1826—Failure to furnish cars for the transportation of lumber. Columbus Lumber Co. vs. S. A. L. Ry.
- 1827—Inadequate depot facilities at Fort Meade. Max Reif vs. A. C. L. Ry.
- 1828—Delay of Valdosta Southern in furnishing annual Report.
- 1829—Failure to furnish cars for the transportation of lumber. Brinkley & Bains vs. C. & C. R. R.
- 1830—Failure of Railroad to furnish proper weighing facilities at Williston. J. B. Epperson & Son vs. S. A. L. Ry.
- 1831—In reference to depot at Haines City. F. W. Ohlinger, Haines City, vs. A. C. L. Ry.
- 1832—Excessive rates on pineapple slips. J. R. Leathman, Delray, vs. F. E. C. Ry.
- 1833—Classification of green sphagnum moss. Criffing Bros. vs. all Railroads.
- 1834—In reference to shipments delayed in transit. Tedder Lumber Co., Norwood, vs. S. & S. P. R. R.
- 1835—Violation of passenger rates. Commission vs. J. & S. W. R. R.
- 1836—In reference to shippers load and count. Baker & Holmes Co. vs. F. E. C. Ry.
- 1837—Violation of the law in regard to the equipment of lumber cars. H. Poleman vs all Railroads.
- 1838—In reference to the erection of a depot at Palmer. Citizens of Palmer vs S. A. L. Ry.
- 1839—Inconvenient schedule on Archer Branch. Citizens of Williston vs. S. A. L. Ry.
- 1840—In reference to the re-establishing of an agency at O'Brien. C. G. Register vs. A. C. L. Ry.
- 1841—Increase in fertilizer rate between Palatka and Tampa. W. A. Merryday, & Co. vs. A. C. L. Ry.

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- 1842—In reference to the erection of a depot at Medulla. Citizens of Medulla vs. A. C. L. Ry.
- 1843—In reference to shippers order notify shipments. T. A. Jones vs. A. C. L. Ry.
- 1844—Petition for the re-establishing of the agency at Fairbanks. F. D. Irwin, et. al., Fairbanks, vs. S. A. L. Ry.
- 1845—Classification of velvet bean hulls, request for by the F. E. C. Ry.
- 1846—In reference to the rule governing joint rates and rule governing the re-establishing and abolishing of depots and station agencies. General complaint.
- 1847—Refusal of Railroad to accept shipment for transportation. S. M. Stevens vs. S. A. L. Ry.
- 1848—Inadequate depot facilities at Citra. W. G. Crosby, Citra, vs. S. A. L. Ry.
- 1849—Failure to forward freight at River Junction. Geo. Butler, Bristol, vs. S. A. L., L. & N. and Southern Express Co.
- 1850—Permission for the abolishing of agency at Gretna, request for by S. A. L. Ry.
- 1851—Permission for abolishing agency at Haile. Request for by J. & S. W. Ry.
- 1852—In reference to the construction of private sidings. J. B. Newman, Live Oak, Fla.
- 1853—Steamboat service on the Suwannee River. T. P. Chaires vs. Gulf Transportation Co.
- 1824—Failure to furnish cars for the transportation of wood. W. S. Brown, Valrico, vs. S. A. L. Ry.
- 1855—Inadequate train service between Sumterville and Sumterville Junction. J. C. B. Koonce, et. al., vs., S. A. L. Ry.
- 1856—Failure to furnish cars for the transportation of lumber I. J. Brown, Rosewood, vs. S. A. L. Ry.
- 1857—Failure to furnish cars for the transportation of lumber. T. R. Pickett & Son, Newberry, vs. A. C. L. Ry.

- 1858—Violation of law in regard to the equipment of lumber cars. B. F. Camp, et. al., vs. all Railroads.
- 1859—Failure to unload shipments at Fort Meade. B. W. Johnson & Co., Fort Meade, vs. A. C. L. Ry.
- 1860—Inadequate agency service at Clearwater. J. W. Williamson, et. al., vs. A. C. L. Ry.
- 1861—Inadequate train service on St. Marks Branch. P. D. Lewis, Tallahassee, vs. S. A. L. Ry.
- 1862—Failure to furnish separate waiting rooms for white and colored patrons at Morriston. Citizens of Morriston vs. S. A. L. Ry.
- 1863—Failure to furnish cars for the transportation of cross-ties. J. A. Carlisle, attorney for R. F. Lewis, Bell, Fla., vs. S. A. L. Ry.
- 1864—Failure to unload shipments at Ft. Meade. B. W. Johnson & Co. vs. A. C. L. Ry.
- 1865—In reference to construction of a depot at Esto. D. W. Tew, Esto, vs. L. & N. R. R.
- 1866—Petition for erection of a passenger depot at McMillan. Citizens of McMillan vs. L. & N. R. R.
- 1867—Petition for the erection of a depot at Bell. Citizens of Bell vs. S. A. L. Ry.
- 1868—Delay in the transportation of gasoline, Jacksonville to Tallahassee. Gilmore & Davis Co., Tallahassee, vs. S. A. L. Ry.
- 1869—In reference to freight claims. O. L. Hardgrove vs. F. E. C. Ry.
- 1870—Failure to make bill of lading properly. E. J. Hays, Greenville, vs. G. S. & F. R. R.
- 1871—Increase in fertilizer rate from Palatka to Sanford. G. R. Calhoun, Palatka, vs. A. C. L. Ry.
- 1872—Bills lading improperly made out. C. L. Leggett, Greenville, vs. S. A. L. Ry.

CLAIMS.

The number of claims filed for overcharges and loss and damage during the year was 180, as against 116 filed

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with the Commission last year. These claims amount in the aggregate to \$4,601.62. One hundred and thirty-three claims, amounting to \$1,427.17, were collected from the transportation companies and refunded to claimants. One hundred and nine of these claims were filed with the Commission this year. Six claims, amounting to \$230.75, were satisfactorily settled other than by payment. Ten claims, amounting to \$1,649.21, for various reasons were refused by the transportation companies, and being interstate, for the collection of which the Commission have no power to enter suit, they were referred back to the claimants for them to exercise the right which they have to bring suit in their own names. Fifty-three claims, amounting to \$1,447.97, are now in course of adjustment.

A difficulty and cause of delay in handling of claims in the past has been the failure on the part of claimants to furnish proper papers in the first instance for making claim, necessitating further correspondence to secure them.

In making claims for overcharges, the Commission should be furnished with the bill of lading and expense bill. In a claim for loss of a shipment, they should be furnished with bill of lading and bill for the amount of the loss. If only a part of the shipment is lost, or in case where a shipment is damaged, the bill of lading and expense bill should be furnished, and claimant should be careful to have the railroad agent note on the expense bill what article is short, or what the damage is to the shipment.

TRAINS FACILITIES BETWEEN FERNANDINA AND BALDWIN.

A petition was received from citizens on the line of the Seaboard Air Line Railway between Fernandina and Baldwin on February 13th, 1903, complaining that there was no regular passenger train operated between those points, and that the accommodation trains had very in-

convenient and uncertain schedules for citizens of Nassau county living along the line of this road who wished to visit Fernandina, the county seat, and return to their homes the same day.

The matter was taken up with the railroad company by correspondence in an endeavor to get it adjusted satisfactorily to all concerned without recourse to formal proceedings. Failing in this, however, the Commission made an order requiring better passenger facilities and more convenient schedules between Fernandina and Baldwin. Soon after the order became effective the Commission was notified by petitioners that the service given was more satisfactory.

PHOSPHATE RATES.

On February 14, 1903, the Board of Trade of Fernandina filed a petition with the Railroad Commission, in which they complained that the freight rates on phosphate "in force over the Seaboard Air Line Railway and the Atlantic Coast Line Railroad from points in Florida to Fernandina were unreasonably high and grossly unjust and discriminating in nature against Fernandina by comparison with the rates over the said railways to other seaports." It was contended that the seaports of Florida are capable of handling, and by reason of their nearness to the producing points, are entitled to handle, and but for the unjust discrimination in freight rates, would handle all the freight originating in Florida on lines of the Atlantic Coast Line and Seaboard Air Line Railways, seeking an outlet by sea, which now find an outlet through ports beyond the lines of the State of Florida.

"That the city of Fernandina is by rail 55 miles nearer than the city of Brunswick, Ga., and 104 miles nearer than the city of Savannah, Ga., through which port very much of the phosphate produced in Florida was forced by said railway companies to find a tide water outlet, to any point in Florida south or west of Callahan,

excepting only such shipments through Live Oak, and is 31 miles nearer than Brunswick and 70 miles nearer than Savannah for shipment through Live Oak."

It was further contended that Fernandina was the natural outlet by sea of the large phosphate interests extending from Ft. White on the north to Dunnellon on the south, and that Fernandina is entitled to handle, and would handle said shipments of phosphate, but for the unjust discrimination of said railway companies against her in favor of seaports beyond the limits of the State of Florida, and this unjust discrimination of said railways was carried to such an extent that from certain competitive points in this territory where phosphate is mined in large quantities, said railway companies charged \$2.24 per ton for phosphate to Fernandina, an average distance by rail of 121 miles, while they charged only \$2.09 per ton for phosphate to Savannah, an average distance of 221 miles.

The Board of Trade of Fernandina petitioned the Commission for relief, urging that the phosphate rates to Fernandina should be reduced.

The Commission held a meeting on the 26th day of February, 1903, for the purpose of hearing the representatives of the Fernandina Board of Trade and the Railroad Company on this subject and the matter was fully presented and discussed by both sides, and was taken under advisement by the Commissioners, who diligently investigated the question with the view of arriving at a just and equitable decision. A circular letter was addressed to all the phosphate producers in the State, asking their views along certain lines, and their answers showed a great diversity. The rate in use by the railroad companies was not fixed on a mileage basis, but certain phosphate producing localities were grouped together and given a straight rate to Fernandina, Jacksonville and Port Tampa within the State of Florida, and Savannah in the State of Georgia. The phosphate producing territories seem to be divided and the rate so

adjusted as to require the shipment of phosphate produced in certain localities to Port Tampa, and in other localities to Fernandina and Savannah, and a rate was quoted from about 95 different points. From some of the localities the rate fixed was per ton of 2240 lbs., and from other points per ton of 2000 lbs. The Commissioners in fixing a rate could not adopt this method, as any rate named by them must necessarily be for the entire State, and shippers should have the option of shipping to any port which they desired, and after due consideration, which involved a great deal of work, the Commissioners concluded that a rate of one cent per ton per mile would be a reasonable and just rate and would make a reduction in existing rates, which, while not radical, offered the relief prayed for by the phosphate producers.

On the 16th day of November, A. D. 1903, there was a meeting of the Railroad Commissioners at the Board of Trade rooms in the city of Jacksonville, when the Railroads were given an opportunity to show cause, if any they had, why a rate of 1 cent per ton per mile should not be prescribed.

Answers were filed by the Atlantic Coast Line Railroad, the Seaboard Air Line Railroad, and the Jacksonville and Southwestern Railway, and they were given until November 28th to file their briefs and supplemental briefs. The railroads contended that the transportation of phosphate in Florida was for export, and was thus foreign commerce, which the Florida Railroad Commission had no authority to regulate. The questions raised by the railroads were submitted to the Attorney-General and special counsel, J. M. Barrs, who gave their opinion to the Railroad Commission that the shipment of phosphate from Florida producing points to Florida ports was under the control of the Railroad Commission, and on December 17th, 1903, the Commissioners fixed the rate as proposed by them of 1 cent per ton per mile, except where that rate would raise the then existing rate,

in which case the then existing rate was to remain in force. The order fixing this rate will be found in Order No. 34.

The rate of 1 cent per ton per mile may appear very small if a shipment is only moved ten or twenty miles, but the Commission, in fixing that rate, were familiar with the locality of the phosphate producing sections and their distance from the ports, and knew that no phosphate was shipped such short distances. The railroad companies thus in making the rate which they then operated, recognized the same condition and made no rate for the transportation of phosphate for any distances nearer than the ports of Jacksonville, Port Tampa and Fernandina, none of which are nearer to the producing points than 43 miles.

The railroads were given until January 15th to put this rate into operation, and the Commissioners, after waiting a reasonable time for the railroads to give notice of the operation of the rate, made an investigation and found that the railroads were still charging the old rate, and mandamus proceedings have been instituted in the Supreme Court of Florida to require the railroads to operate the rate prescribed in Order No. 34.

JOINT RATES.

Probably one of the most important acts of the Railroad Commission during the year was the adoption of Order No. 35, amending Rule No. 19, governing Joint Rates.

Rule 19 of the Rules and Regulations prescribed by the Commission for the transportation of freight, required that the maximum rate charged on shipments originating and terminating within this State which passed over the whole or parts of two or more roads not under the same control, should be the sum of the local rates for the distance hauled over each road.

While the Commission could not see their way clear to order into operation a straight mileage rate for shipments

passing over two or more roads, still they were of the opinion that the sum of the local rates was unreasonably high, and it was determined to take the matter up with the railroads with a view of making a reduction. A meeting of the Commission was held at Jacksonville on November 17th, 1903, and the railroads were given an opportunity to show cause why Rule 19 should not be amended to meet the views of the Commission. The railroad companies were represented at this meeting by their traffic officials, and protested against any reduction of joint rates, but especially requested that, if the Commission were determined to reduce these rates, they except classes L, N, O and P, which classes the representatives of the roads contended were already very low.

After due consideration the Commission decided to make this exception and issued their Order No. 35, amending Rule 19, fixing the maximum rate on all freights originating and terminating in this State, except classes L, N, O and P, which pass over the whole of two or more roads, not under the same control, at the sum of the local rates, for the distance hauled, less 10 per cent.

This reduction will amount to a large saving in freight charges to the people of the State.

PHYSICAL CONNECTION AT GREENVILLE.

In the month of February, 1903, at the request of citizens of Greenville that the Seaboard Air Line and South Georgia Railroad be required to make physical connection at that point, the Commission visited Greenville and made a personal investigation of the situation. It was found that owing to there being no track connection between the railroads crossing at that point it was not possible for carload shipments to be transported from points on one of these roads to points on the other. The Commission were advised that the South Georgia Railway Co., was willing to make track connection with the Seaboard Air Line and had its track

for that purpose laid up to the right-of-way of that road. But although Chap. 4205 of the Laws of Florida required railroads crossing as these did to make track connection, the Seaboard Air Line had up to that time failed to make the connection.

The Commission took up the matter with both railroads immediately, by correspondence, and in due course were advised that the track connection would be made. After waiting a reasonable time, and nothing having been done, the railroads were given a formal hearing, and the Commission made an order on the 22nd day of June, 1903, requiring that the connection be made, which order was complied with. Order No. 23.

CLASSIFICATION.

There is published by the Southern Classification Committee in behalf of the railroad companies in the Southeastern section of the United States for the government of interstate traffic in this section what is known as the Southern Classification. By changing an article here and one there in this classification, the railroads are able to make a general raise in freight charges on interstate business without attracting the general notice that a raise in their freight tariffs would make. During the past year many changes have been made in this classification, some reducing freight charges, but by far the greater part raising them. From complaints received the Commission have noted this general increase in rates on interstate traffic, but a State Railroad Commission cannot control traffic of this kind. This helpless condition of the public in not being able to protect themselves from unreasonable freight charges only shows how important it is that the powers of the Interstate Commerce Commission should be increased. One of the most unreasonable changes in the Southern classification was in the raising of the minimum for a single shipment from 50 pounds to 100

pounds. Thus at one stroke doubling the charges on small shipments. For instance, a shipment weighing 5 pounds that was shipped from New York to Jacksonville formerly for 33 cents, by this change in the rules of the Southern Classification Committee, increased the charge to 65 cents.

Commenting on this tendency of the transportation companies to increase freight charges, the Interstate Commerce Commission treats the matter as follows:

“ADVANCES IN FREIGHT RATES.

“One of the most significant things in railway operations for the past three years has been the marked and general advance in rates. Six years ago railroad witnesses often insisted that railway rates could not be advanced, but the history of the last three years has discredited these predictions. These advances in transportation charges have accrued principally through increase of the published rate itself. Such increase applies in almost all sections of the country and to many of the most important kinds of traffic. With some exceptions, class rates have not been increased. There have been actual increases in rates upon those commodities constituting the bulk of railroad traffic, such as coal, grain, lumber, live stock, dressed meats and packing-house products. An exception in the case of packing-house products from Missouri River points to Chicago is noted. Many advances have been worked by changes in classifications. The class rates have generally remained the same, but numerous commodities have been advanced from a lower to a higher class. Many commodities which formerly took a special commodity rate have been restored to the classification. There has also been a constant disposition to remove special privileges which had previously been accorded and to charge for services for which before no charge had been made.

“INCREASES GENERAL.

“These increases are general, and while, as applied to

the movement of a considerable quantity of a given article, they are comparatively small, they amount in the aggregate to an enormous sum. The effect of these advances has been to correspondingly increase the tax laid upon the general body of producers and consumers in this country for the benefit of the owners of railway property. These advances have been usually, if not always, the result of concerted action by the carriers. It is idle to say that where such a condition exists there has not been an understanding between the carriers. The theory of our law has been that competition between different carriers would prevent unreasonable advances and secure reasonable rates.

"COMPETITION AFFORDS NO PROTECTION.

"Without expressing an opinion as to whether the action of these carriers has amounted to violation of law—and they insist that it has not—the Commission desires to point out clearly and emphatically the fact that such concert of action does prevail as practically eliminates all competition in the tariff rate. Competition formerly resulted mainly from the granting of secret rates which often resulted in the publication of the lower rate; but today rates are maintained and there is, therefore, no inducement to a particular carrier to reduce the published rate, since each appears to understand that a reduction by it must be immediately followed by a reduction on the part of its competitors. The requirement of the law that carriers shall compete affords no protection to the public.

"ADVANCES NOT NECESSARY.

"It has been frequently said that the adjustment of freight rates is a delicate commercial proposition, which could only be dealt with by people having a most intimate knowledge of conditions and could not be revised by any outside body. The advances in the last three years have not been made upon that theory. They have not originated with the traffic representatives of the

various systems, but rather with the financial heads of those systems. Railway managers insist that these advances have been justified by increased cost of operation, and that the whole country is experiencing a period of prosperity in which railways are entitled to share. It will probably be conceded that railways ought to share in the general prosperity, and it is also certain that in some respects the cost of operation has very materially advanced. On the other hand, many economies in the way of railway operation have been introduced, and the great increase in the amount of traffic has enabled railroads to handle it cheaper in proportion. A table is given showing the net and gross earnings per mile of all railways in the United States since 1897. This shows that both gross and net earnings have very materially increased during that period.

"EXPECTS NO DECLINE.

"The Commission sees no assurance of a corresponding decline in rates in the future. It is hardly conceivable that if traffic were to fall off, if gross earnings were to decrease, if times were to become less prosperous, that the carriers would for that reason reduce their rates. It is true that in case of hard times railroads would be obliged to reduce their rates in certain cases, and if there were competition between different lines serving different markets so that the rate to one market, or from a particular source of supply, were reduced, this would of necessity lead to a corresponding reduction to other markets and from other sources of supply. But relative rates have been pretty thoroughly adjusted between all parts of the country, and the unification of railway property is such that today it is an easy matter to prevent a decrease in rates, except under peculiar conditions and as applied to isolated commodities.

"CANNOT PREVENT ADVANCES.

"There is now no way in which these advances can be prevented. If they are just and reasonable they ought

not to be prevented. In cases where the reasonableness of charges is fairly in doubt the benefit of the doubt should be given to the railways; but it is impossible to contemplate with indifference the fact that the results of all the recent improvements in transportation facilities is an increase in the transportation charge, or to remember with indifference that this species of property now possesses the power to tax unjustly every other species of property. If these charges are unreasonable they are a most insidious means of taking unjustly from the general body of the public for the benefit of the few, and some means should be devised by which this can be prevented."

The foregoing from the Interstate Commerce Commission shows that the raising of interstate rates has been general over the whole United States, and not confined to Florida. There has been a very general raise of interstate rates in Florida, which the Railroad Commissioners have been unable to prevent. Local rates have not been raised, and in many instances during the past year have been materially reduced. The general raise in interstate rates, however, demonstrates that there would have been a raise in local rates if Florida did not have a Railroad Commission to restrain and prevent it. In some instances the rate for the same articles from the same points have been raised where the shipment was an interstate one, and a lower rate charged on the local shipment. For instance, on February 1, 1903, the rate on onions, turnips, potatoes, etc., from Jacksonville to West Palm Beach was raised from 60 cents per sack of 150 pounds to 58 cents per 100 pounds, making a raise of 27 cents per sack or 150 pounds. This applies to shipments received in Jacksonville from New York via Clyde Line. The old rate of 60 cents per bag of 150 pounds is still charged on shipments originating in Jacksonville. But for the restraint of the Florida Railroad Commission there can be no doubt that this rate on local shipments from Jackson-

ville would have been raised at the same time that the rate for these articles was raised on interstate shipments.

During the year representatives of the railroads have on several occasions urged upon the Commission the advisability of their adopting the Southern Classification for the government of transportation of freight within this State, but while the Commission recognize the value to the public of having a uniform classification on both State and interstate business, it is of vastly more importance that the public should not be subjected to arbitrary changes and increases in freight charges; and the condition described in the report of the Interstate Commerce Commission quoted above proves the wisdom of the Florida Commission in retaining their own Classification; and during the past year the only changes made in the Florida Classification have been the addition of a few articles which were heretofore unclassified.

Persimmons were placed in class V, the same as vegetables. Earthenware cups and galvanized iron attachments to be used in the collection of crude turpentine were placed in class P, the low classification being made to encourage this new system of collecting crude turpentine. Velvet bean hulls in sacks and barrels were placed in class M.

MERCHANDISE RATES.

In our last annual report we stated in detail the steps that were taken by the Commission in ordering into effect a reduction on merchandise rates, to be operated by the Seaboard Air Line and Atlantic Coast Line Railroads. The Commission's order required that this rate should become effective July 1, 1904. At the appointed time the railroads put the rate into operation.

This reduction affected a large part of all the freights hauled by the Seaboard Air Line and Atlantic Coast Line Railroads in Florida. For distances of 150 miles and over 140 miles, the reduction on such articles as shoes,

24 RAILROAD COMMISSION, STATE OF FLORIDA.

books, medicines not otherwise specified, and mowing machines was 10 cents per 100 pounds. On bedsteads and bureaus, 7 cents per 100 pounds; on corn mills and cane mills, hoes and plow handles, 3 cents per 100 pounds; on brick in less than carload quantities, 8 cents per 100 pounds, and on lumber in less than carload quantities, 4 cents per 100 pounds; on bacon and hams packed in wood, 1 cent per 100 pounds; on corn and oats, 2 cents per 100 pounds; on flour, 4 cents per barrel; on household goods and live stock, \$3 per carload.

The above is given to show how the reduction affects a few staple articles for a certain distance. The reduction is about the same for all distances between points on the lines of the above-named railroads, and affects practically all articles in less than carload quantities, and a few in carload quantities.

The above figures show the difference between the rate formerly authorized by the Railroad Commission and the one now prescribed by them for the Atlantic Coast Line and Seaboard Air Line Railroads. Between some points in the State, the railroads prior to July 1, 1903, operated what are known as special rates—that is, rates less than those allowed by the Commission—so that when railroads were required to put down their rates to those of the Commission, at those points where the special rates were in force the reduction was not as much as given above, and in a very few instances the rate was actually raised. While the Commission regret that it should have been necessary to raise the rate at any point, yet unless there was competition of some kind to justify it, the Commission do not consider these special rates to have been just. The courts have decided that competition is a sufficient reason for a special rate, but where there is none, and where conditions are practically the same, the Commission is of the opinion that rates between all points the same distance apart should be alike.

The reduction in merchandise rates, while it may seem small when considered in relation to any one article, yet

when we consider that it affects every article of clothing, every article of household furniture and everything that we eat, it can readily be seen what a saving it will be in the aggregate to the people of Florida in the course of a year.

ESTABLISHING AND ABOLISHING DEPOTS AND AGENCIES.

It was brought to the attention of the Commission by a number of complaints received from different sections of the State that the railroad companies were abolishing station agencies for reasons of their own, on occasions, without any notice to the public, sometimes at stations where public necessity required an agency station, and always at great inconvenience, if not actual loss, to the patrons of the road at the point affected. They could and did in a number of cases apply to the Commission to have the agencies reopened, but this necessitated some delay, and in the meanwhile the interests of the public were injured.

The Commission determined to take steps to remove the cause of further complaint from this source, and to require the railroads to apply to the Commission for permission to abolish an agency or remove a depot, rather than require the public to come to the Commission to have them re-established after they were abolished by the railroads. Accordingly the transportation companies were given a hearing, as required by law, to show cause why the Commission should not adopt a rule in the premises, and on October 27th, 1903, the Commission adopted Order No. 29, which requires that before any permanent depot or station agency can be removed or abolished the railroad company shall ask and secure the permission of the Railroad Commission. The adoption of this rule will, it is believed, remove much cause for friction between the railroads and the people.

PASSENGER RATES.

As set forth in the last annual report, on February 25,

1903, the Commission ordered the Pensacola and Atlantic Division of the Louisville and Nashville Railroad to reduce their passenger rates from 4 cents to 3 cents per mile, effective July 1, 1903. This length of time between the date of the order and the date the rate should go in effect was given the railroad company at their request, in order that their officials might ascertain approximately what the reduction would amount to. The Commission hoped that the railroad would put the rate into effect without litigation. Having been informed, however, early in April that the Louisville and Nashville Railroad Company were going to contest the passenger rate question in the courts, the Commission determined that if a legal fight was necessary, the earlier it was begun and decided the better. Accordingly, on the 15th of April the former order of the Commission, prescribing a 3-cent rate for the above-named road, was revoked and a new order made requiring the 3-cent rate to become effective on May 1, 1903.

A few days before the rate was to go into effect the United States Circuit Court, upon application of the railroad company, granted a temporary restraining order, enjoining the Commission from making its order effective. The Commission immediately employed special counsel, and on the 26th day of May, 1903, the case came up before Judge Pardee, who granted a temporary injunction against the Commission, restraining the Commission from putting said rate into effect, but requiring the railroad to give a twenty-thousand-dollar (\$20,000) bond pending the final disposition of the case. The next step in the proceedings will be the taking of testimony, after which the final decision of the case, so far as the United States Circuit Court is concerned, will be made.

In the early part of this litigation the Commission notified the public, in a circular and through the newspapers, that receipts for all passenger fares paid on the Pensacola and Atlantic Division of the Louisville and Nashville Railroad should be taken and forwarded to the

office of the Railroad Commission. If the Commission is successful in the suit, the claims for overcharges will be collected and refunded. We regret to report that only a few have availed themselves of this opportunity up to this time.

FLORIDA WEST SHORE BRANCH.

Early in the year it was brought to the attention of the Commission by a claim for overcharge that the branch of the Seaboard Air Line Railway recently constructed from near Turkey Creek into Manatee county, and known as the Florida West Shore Railway, was being treated by the Seaboard Air Line Railway Company, in the making of freight charges, as a separate and independent railroad, and two locals were being charged for freights passing over that branch and the Seaboard Air Line Railway proper, instead of a continuous mileage.

The Commission, believing that the Florida West Shore Branch is owned or controlled by the Seaboard Air Line Railway Company, and comes under the provisions of Rule 1 of the Rules and Regulations of the Railroad Commission of Florida, made claim for overcharge in the usual manner.

Some time was spent by the Commission in an endeavor to get the question adjusted with the railroad company by correspondence, but not being able to accomplish anything in this manner, the Seaboard Air Line Railway Company was given a formal hearing. At this hearing the officials of the railway company contended that the Florida West Shore Railway was a separate and distinct road, and filed a contract with the Commission showing how that road was operated by the Seaboard Air Line Railway Company.

After considering the question, the Commission, with all the facts before them, made an order requiring the Seaboard Air Line Railway Company to operate the Florida West Shore Branch in accordance with the provisions of Rule 1. Soon after this, it having come to

the attention of the Commission that the railroad company was disregarding their order, the Attorney-General and special counsel, at the request of the Railroad Commission, instituted mandamus proceedings in the Supreme Court to require the railroad company to obey the Commission's order. The matter is now pending before that tribunal. The first hearing is set for the first Tuesday in March.

AGENCIES AND DEPOTS.

The Commission has been successful in giving assistance to a number of communities the past year by requiring the erection or enlargement of depots, and by the establishing of agencies where these matters have been brought to their attention, and shown to be a public necessity.

Agencies were established at Ponce de Leon and Deerland on the Pensacola & Atlantic Division of the Louisville & Nashville Railroad; at Fairbanks on the Seaboard Air Line; at Ashmore on Carrabelle, Tallahassee & Georgia Railroad; at O'Brien on the Atlantic Coast Line Railway, and additional station service was secured for the agency at Clearwater.

At the instance of the Commission a depot was constructed at Olive Station on the Pensacola Division of the Louisville & Nashville Railroad, and much needed improvements were made in the depot at Tallahassee. A small depot was erected for the accommodation of the people at Vero, a station on the Florida East Coast Railroad. A depot was erected at Kendrick on the Atlantic Coast Line. Additions and improvements were made in the depots at Bronson and Morriston, on the Seaboard Air Line. Petitions for the erection of depots at McMillans on the Pensacola Division of the Louisville & Nashville, at Medulla on the Atlantic Coast Line, and at Bell on the Seaboard Air Line, and for additional waiting rooms at Citra and Ft. Meade, are now in the course of adjustment by the Commission. The rail-

roads have agreed to make the improvements at Ft. Meade, Citra and Medulla, and they will be made just as soon as the carpenter crews can get around to them.

Respectfully submitted.

JEFFERSON B. BROWNE, Chairman,

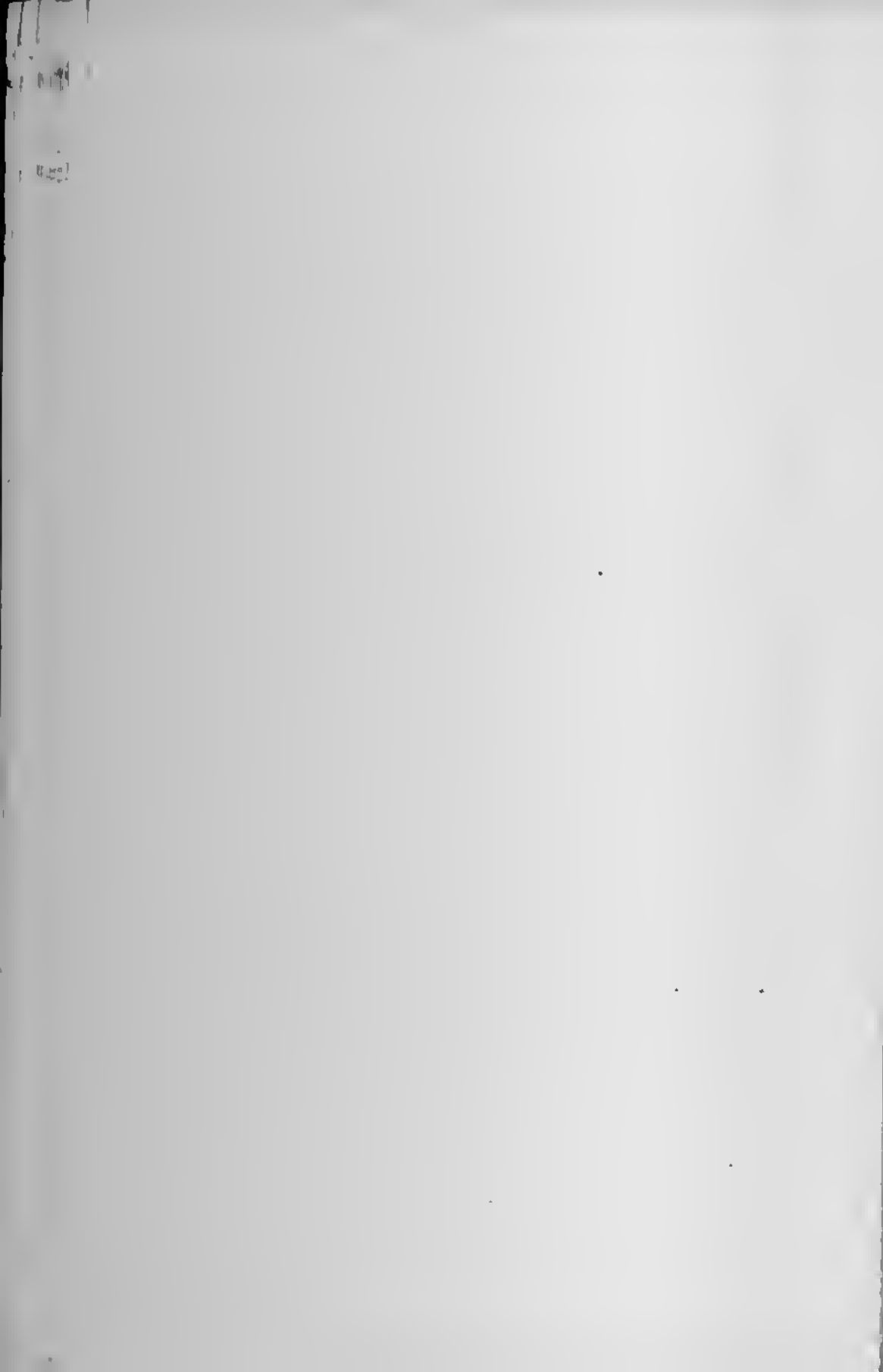
JOHN L. MORGAN,

R. HUDSON, BURR,

Commissioners.

SALARIES AND EXPENSES OF THE RAILROAD
COMMISSION OF FLORIDA FOR THE YEAR
ENDING DECEMBER 31, 1903.

Salaries	\$8,734 20
Transportation	455 51
Legal Expenses	2,541 40
Stationery	146 11
Printing	352 11
Postage	183 71
Freight and Drayage	14 26
Fixtures and Furnishings for offices in Capitol	468 40
Incidental Expenses	53 00
Telegraph	57 03
Janitor	180 00
Stenographer	40 00
Rent for Offices before Capitol was completed	75 00
Total Salaries and Expenses	\$13,300 73



APPENDIX A.
ORDERS.

Orders.

ORDER NO. 15.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF FREIGHT RATES FOR THE
SEABOARD AIR LINE RAILWAY.

This matter coming on to be heard, after due notice to the said Seaboard Air Line Railway Company, the Commission having heard the facts submitted by said Railroad, and the arguments of its representatives, and the Commission being satisfied that the present condition of the freight business of said Seaboard Air Line Railway Company would justify the ordering into operation of the proposed Standard Freight Tariff, by that Company:

IT IS HEREBY ORDERED, that the following schedule of freight tariffs shall be allowed and adopted by the Railroad Commission of the State of Florida, for the Seaboard Air Line Railway Company and its branches, and the same shall be put into operation and be effective on the 1st day of July, 1903.

(Schedule of rates mentioned may be had by applying to the Railroad Commission.)

IT IS FURTHER ORDERED, That Order No. 10 be, and the same is hereby rescinded.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 16th day of April, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 16.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF FREIGHT RATE FOR THE
ATLANTIC COAST LINE RAILROAD.

This matter coming to be heard, after due notice to the said Atlantic Coast Line Railroad Company, the Commission having heard the facts submitted by the said railroad, and the arguments of its representative, and the Commission being satisfied that the present condition of the freight business of said Atlantic Coast Line Railroad Company would justify the ordering into operation of the proposed Standard Freight Tariff by that company;

IT IS HEREBY ORDERED That the following schedule of freight tariffs shall be allowed and adopted by the Railroad Commission of the State of Florida, for the Atlantic Coast Line Railroad Company and its branches, and the same shall be put into operation and be effective on the first day of July, 1903.

(Schedule of rates mentioned may be had by applying to the Railroad Commission.)

IT IS FURTHER ORDERED, That Order No. 11 be, and the same is hereby rescinded.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 16th day of April, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

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ORDER NO. 17.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF CLASSIFICATION OF PERSIMMONS.

This matter coming on to be heard, after due notice to the Railroads and Common Carriers doing business in the State of Florida, and none of the aforesaid Railroads or Common Carriers being represented and this Commission, after investigation, being satisfied that the placing persimmons in class "V" of Classification No. 1 of the Florida Railroad Commission would be a reasonable rate;

IT IS HEREBY ORDERED AND ADJUDGED, That Classification No. 1 of the Florida Railroad Commission be amended by adding under the heading "Fruit. Green, Viz.:" the line, "Persimmons, per standard crate....V."

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 20th day of May, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 18.

RAILROAD COMMISSION, STATE OF FLORIDA.

TO THE LOUISVILLE AND NASHVILLE RAILROAD COMPANY.

The citizens of Olive Station, on the line of the Louisville and Nashville Railroad, in the county of Escambia, State of Florida, having complained to the Florida Railroad Commission that the depot facilities of the said

Louisville & Nashville Railroad Company at said station are wholly inadequate to the requirements of the traveling public, and asked the issuance of an order of the Railroad Commission of the State of Florida, to the said railroad company for the construction of adequate accommodations for freight and passengers;

And due notice having been given said Louisville & Nashville Railroad Company on the 28th day of April, 1903, that a hearing would be had at the office of the Railroad Commission in Tallahassee, Florida, on the 11th day of May, 1903, and the said railroad company having appeared and been represented and heard by J. W. Lurton, Division Freight Agent, and W. A. Blount, Esq., counsel of said railroad, and it appearing from the hearing and investigation made by this board that the allegations set forth are true and that there is urgent demand on the part of the traveling public for waiting room and freight facilities;

AND IT IS HEREBY ORDERED, That you, the Louisville & Nashville Railroad Company, do proceed to the construction of two passenger waiting rooms, one for whites and one for negroes, the same to be sufficiently large to insure the comfort and convenience of persons who are awaiting the arrival or departure of trains on the Louisville & Nashville Railroad, and a covered freight platform railed around to protect freight from stock, at Olive Station, on the line of the Louisville & Nashville Railroad Company, in the County of Escambia, State of Florida.

Now you, the Louisville & Nashville Railroad Company, are hereby allowed until the 10th day of August, 1903, to have said waiting rooms and covered platform as set forth in this order completed.

That a failure on the part of you, the said Louisville & Nashville Railroad Company, to have the said waiting rooms and covered platform set forth in this order completed on the said 10th day of August, 1903, will be con-

strued by this Commission as a violation by the Louisville & Nashville Railroad Company of the terms and provisions of this order, for which you, the said Louisville & Nashville Railroad Company, will be held subject to the penalties prescribed by the Railroad Commission Law of the State of Florida.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 10th day of June, A. D. 1903.

(Signed) JEFFERSON B. BROWNE. Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 19.

RAILROAD COMMISSION, STATE OF FLORIDA.
TO THE LOUISVILLE AND NASHVILLE RAILROAD COMPANY.

The citizens of Ponce de Leon, on the line of the Louisville & Nashville Railroad, in the county of Holmes, State of Florida, having complained to the Florida Railroad Commission that there is need of an agent for the Louisville & Nashville Railroad Company at said station, and asked the issuance of an order of the Railroad Commission of the State of Florida to said railroad company for the establishing of an agency at Ponce de Leon;

And due notice having been given said Louisville & Nashville Railroad Company on the 28th day of April, 1903, that a hearing would be had at the office of the Railroad Commission in Tallahassee, Florida, on the 11th day of May, 1903, and the said railroad company having appeared and been represented and heard by J. W. Lurton, Division Freight Agent, and W. A. Blount, Esq., counsel of said railroad company, and it appearing from the hearing and investigation made by this board that the allegations set forth are true and there is urgent demand on the part of the public for an agency at Ponce de Leon;

IT IS HEREBY ORDERED, That you, the Louisville

and Nashville Railroad Company, do establish an agency at Ponce de Leon, and you, the Louisville and Nashville Railroad Company, are hereby allowed ten days from this date to have said agency established;

That a failure on the part of you, the said Louisville and Nashville Railroad Company to have the said agency established at Ponce de Leon within ten days from this date, will be construed by this Commission as a violation by the Louisville and Nashville Railroad Company of the terms and provisions of this order, for which you, the said Louisville and Nashville Railroad Company, will be held subject to the penalties prescribed by the Railroad Commission law of the State of Florida.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 10th day of June, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 20.

RAILROAD COMMISSION, STATE OF FLORIDA.

OVERCHARGE BY SEABOARD AIR LINE RAILWAY COMPANY ON TEN BOXES ORANGES, SHIPPED FROM MANATEE, FLORIDA, TO TALLAHASSEE, FLORIDA, OVER THE UNITED STATES AND WEST INDIES STEAMSHIP AND RAILROAD AND THE SEABOARD AIR LINE RAILWAY.

This matter coming on to be heard on the charges against the Seaboard Air Line Railway, due notice of which was given to said railway company on February 4th, 1903, and answer of the said Seaboard Air Line Railroad Company and the Florida West Shore Railway Company, formerly the United States and West Indies

Steamship and Railroad Company, filed with the Commission this 13th day of June, A. D. 1903, and accompanying documents; and the said Seaboard Air Line Railway Company being represented by Geo. P. Raney, Esq., and the Florida West Shore Railway Company being represented by J. C. Cooper, Esq., and the Commission having heard the arguments of Geo. P. Raney, Esq., counsel for the Seaboard Air Line Railway Company, and J. C. Cooper, Esq., counsel for the Florida West Shore Railway Company, and it appearing to the satisfaction of the Railroad Commissioners that the said Seaboard Air Line Railway and the Florida West Shore Railway, formerly the U. S. & W. I. S. S. & R. R., are connecting railroads, and the said Florida West Shore Railway Company, formerly the U. S. & W. I. S. S. & R. R. Co. is under the management of the said Seaboard Air Line Railway Company, and that the said Seaboard Air Line Railway Company did on the 10th day of November, A. D. 1902, charge Kalil Basha on 10 boxes of oranges from Manatee, Florida, to Tallahassee, Florida, two locals over the said U. S. & W. I. S. S. & R. R. Co., now the Florida West Shore Railway Company and the Seaboard Air Line Railway, to-wit: 13c and 25c per box, and that the correct rate was 25c per box, and that such charge was an overcharge of 13c per box, an overcharge of \$1.30 on the entire shipment, and that Seaboard Air Line Railway is guilty of having violated Chap. 4700 of the Laws of Florida, and Rule 20 of the "Rules Governing the Transportation of Freight;"

IT IS HEREBY ORDERED, That the said Seaboard Air Line Railway Company shall refund to said Kalil Basha the amount of said overcharge, to-wit: \$1.30, on or before July 1st, 1903.

IT IS FURTHER ORDERED, That the imposition of the fine incurred by said Seaboard Air Line Railway Company for violation of Chapter 4700, Laws of Florida, and Rule 20 of the "Rules Governing the Transportation

of Freight," is reserved until the further order of the Railroad Commissioners.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 13th day of June, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 21.

RAILROAD COMMISSION, STATE OF FLORIDA.
IN THE MATTER OF APPLICATION OF CITIZENS
OF NASSAU COUNTY FOR BETTER PASSENGER
TRAIN FACILITIES ON THE SEABOARD
AIR LINE RAILWAY BETWEEN FERNANDINA
AND BALDWIN.

This matter coming on to be heard on the application of citizens of Nassau county, and the petition of the Board of Trade of Fernandina, for better passenger train facilities over the Seaboard Air Line Railway between Fernandina and Baldwin, and due notice having been given to the Seaboard Air Line Railway Company, and the said Seaboard Air Line Railway Company having appeared before the Railroad Commission on the 9th day of June, 1903, by its counsel, George P. Raney, Esq., and the Commission having heard the statements of witnesses in behalf of the petitioners and the Seaboard Air Line Railway Company; and it being shown to the Railroad Commission that the Seaboard Air Line Railway Company does not operate any passenger train on its line from Fernandina to Baldwin, via Yulee and Callahan, and the Commission being satisfied that the comfort and convenience of passengers traveling between Fernandina and Baldwin via Yulee and Callahan

require better passenger train service and schedules, than are now furnished by said Seaboard Air Line Railway Company;

IT IS HEREBY ORDERED AND ADJUDGED, That the said Seaboard Air Line Railway Company shall operate a passenger train daily, between Fernandina and Baldwin, via Yulee and Callahan, beginning on the first day of July, A. D. 1903, said train to have separate coaches for white and colored passengers as required by law, and furnished with toilets and drinking water.

Said train to leave Baldwin not earlier than six (6) o'clock a. m. and not later than seven (7) o'clock a. m. and to arrive in Fernandina in not more than three (3) hours; and to leave Fernandina not earlier than six (6) o'clock p. m. and not later than seven (7) o'clock p. m., and arrive in Baldwin in not more than three (3) hours. Said train to stop at all stations on the route.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 13th day of June, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 22.

RAILROAD COMMISSION, STATE OF FLORIDA.
REGULATIONS CONCERNING COLLECTION OF
CASH FARES BY CONDUCTORS, ON FAILURE
OF PASSENGER TO BUY TICKET.

IT IS ORDERED, That passengers boarding railroad trains at any station where there is a ticket office duly kept open for at least thirty minutes before the departure of a passenger train may be charged not exceeding 15 cents extra passenger fare if they do not present ticket to the conductor for their transportation; provid-

ed, however, that this rule shall not apply in cases where the connections between trains is too close to permit passengers to purchase tickets.

IT IS FURTHER ORDERED, That all railroad companies are required to post a printed copy of this order at one or more conspicuous places in their ticket office, such notice to be printed on cardboard in large type.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 15th day of June, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 23.

RAILROAD COMMISSION, STATE OF FLORIDA.
PHYSICAL CONNECTION OF THE SOUTH GEORGIA
RAILWAY AND THE SEABOARD AIR LINE
RAILWAY AT GREENVILLE, FLORIDA.

This matter coming on to be heard after due notice to the South Georgia Railway Company and to the Seaboard Air Line Railway Company, and the South Georgia Railway Company being represented and heard by C. I. Harrell, Esq., and the Seaboard Air Line Railway Company not being represented, and after considering the same, being satisfied that the requiring of physical connection of the South Georgia Railway and the Seaboard Air Line Railway at Greenville, Florida, is a reasonable requirement:

IT IS HEREBY ORDERED AND ADJUDGED, That you, the South Georgia Railway Company, and that you, the Seaboard Air Line Railway Company, make Physical connection of your roads at Greenville, Florida.

42 RAILROAD COMMISSION, STATE OF FLORIDA.

And you, the South Georgia Railway Company, and you, the Seaboard Air Line Railway Company, are hereby allowed until the 1st day of August, A. D. 1903, to have the said physical connection completed.

That a failure on the part of you, the South Georgia Railway Company, and you, the Seaboard Air Line Railway Company, to have said physical connection completed on the said first day of August, A. D. 1903, will be construed by this Commission as a violation by the South Georgia Railway Company and the Seaboard Air Line Railway Company of the terms and provisions of this order, for which you, the said South Georgia Railway Company, and you, the said Seaboard Air Line Railway Company, will be held subject to the penalties prescribed by the Railroad Commission Law of the State of Florida.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 22nd day of July, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 24.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF THE CLASSIFICATION OF
EARTHENWARE CUPS AND GALVANIZED
IRON ATTACHMENTS TO BE USED IN THE
COLLECTION OF CRUDE TURPENTINE.

This matter coming on to be heard, after due notice to the railroad companies and common carriers doing business in Florida, and none of the aforesaid railroad companies and common carriers being represented, and

no objection to the proposed change being made by any of the railroad companies or common carriers doing business in Florida, except the Louisville & Nashville Railroad Company, which filed written objections, and this Commission after investigation, being satisfied that the placing of Earthenware Cups and Galvanized Iron Attachments to be used in the collection of crude turpentine, L. C. L. in class 6, same in carloads in class P, would be a reasonable classification.

IT IS HEREBY ORDERED AND ADJUDGED, That Classification No. 1 of the Florida Railroad Commission be amended by the addition of the following:

	Class.
"Earthenware Cups and Galvanized Iron Attachments to be used in the collection of crude turpentine, L. C. L. -----	6
Same, in carloads -----	P."

IT IS FURTHER ORDERED, That this order be effective on the 1st day of August, A. D. 1903.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 30th day of June, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 25.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF FREIGHT RATES FOR THE SEABOARD AIR LINE RAILWAY COMPANY TO APPLY ON SHIPMENTS TO AND FROM POINTS ON THE FLORIDA WEST SHORE RAILWAY.

This matter coming on to be heard after due notice to the Seaboard Air Line Railway Company, and the Sea-

board Air Line Railway Company being represented by G. P. Raney, Esq., and E. D. Kyle, Asst. Gen'l Frt. Agt., and the Commission having heard the arguments of G. P. Raney, Esq., and E. D. Kyle, Asst. Gen'l Frt. Agt., in behalf of the said Seaboard Air Line Railway Company, and the Commission being satisfied that the present condition of the freight business of the Florida West Shore Railway would justify the ordering into operation of the proposed freight tariff on that line;

IT IS HEREBY ORDERED AND ADJUDGED, by the Railroad Commission of the State of Florida, That the following schedule of freight and tariffs shall be allowed and adopted for freight shipments over the Seaboard Air Line Railway, to apply only to shipments from or destined to points on the Florida West Shore Railway; and from points on the Florida West Shore Railway to points on the Florida West Shore Railway, and the same shall be put into operation and be effective on the 1st day of July, A. D. 1903.

(Schedule of rates mentioned may be had by applying to the Railroad Commission.)

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 25th day of June, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 26.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF THE APPLICATION OF THE
GEORGIA SOUTHERN AND FLORIDA RAIL-
WAY COMPANY FOR AMENDMENT OF RAIL-
ROAD COMMISSION ORDER NO. 22.

This matter coming on to be heard on the application

of the Georgia Southern and Florida Railway Company to amend Railroad Commission Order No. 22 so far as it refers to said Georgia Southern and Florida Railway Company.

IT IS HEREBY ORDERED AND ADJUDGED, That Order No. 22 be and the same is hereby amended by the addition of the following: That said Order No. 22 shall not be operative on the line of the Georgia Southern & Florida Railway, but the following shall be the rule on said line:

That passengers who board a train on the Georgia Southern Railway where there is a ticket agent, may be charged four cents per mile only to the next regular station, and the regular fare of three cents per mile from thereon.

That it shall be their duty to keep their ticket office open for thirty minutes before the departure of passenger trains, provided that any way stations where there is but one agent to perform the duties of passenger, freight and express agent, the office may be closed for the sale of tickets one minute before the arrival of the train.

IT IS FURTHER ORDERED, That the Georgia Southern & Florida Railway Company is required to post a printed copy of this order at one or more conspicuous places in the ticket office, such notice to be printed on cardboard in large type.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 2nd day of July, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 27.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF THE ORDER OF THE RAILROAD COMMISSION OF FLORIDA TO THE LOUISVILLE AND NASHVILLE RAILROAD COMPANY FOR THE ESTABLISHMENT OF AN AGENCY AT PONCE DE LEON.

This matter coming on to be heard, after due notice to the Louisville & Nashville Railroad Company, and

Whereas, The following telegram has been received by the Commission from W. A. Blount, Esq., counsel for the Louisville & Nashville Railroad Company: "Owing to a misunderstanding between the legal department and the traffic department, the operating department of the L. & N. was not advised of the understanding arrived at between the Florida Railroad Commission and the L. & N., represented by Mr. Lurton and myself, as to the establishment of an agency at Ponce de Leon, and while efforts were made to secure an agent, they were not effective until July seventh, at which time an agent procured was installed in the office and has been such agent ever since. In this connection see my letters of June twenty-ninth and July ninth. In view of the desire of the L. & N., of which I assure you, to comply with this order of the Commission, and of the fact that the agency has been established, will it be necessary for the Company to appear before you tomorrow according to your notice given in June? Please wire immediately."

And the Commission being satisfied that the failure to establish an agency at Ponce de Leon on the line of the L. & N. Railroad was not the fault of Mr. W. A. Blount, and the Commission believing that he fully carried out his part of the agreement, and gave the necessary instructions to the operating department of said L. & N.

R. R. Co., and that the fault of the failure and refusal to establish an agency at Ponce de Leon until after notice given by this Commission of a hearing, for the L. & N. R. R. Co., to show cause why they should not be fined for such refusal, was that the L. & N. R. R. Co., for which W. A. Blount, Esq., was in no way responsible or to blame, and in view of his explanation as contained in the foregoing telegram, and in view of the fact that the agency has been established at Ponce de Leon in accordance with the agreement entered into between the Railroad Commission and Mr. Blount;

IT IS HEREBY ORDERED, By the Railroad Commission of the State of Florida that the case against the L. & N. Railroad Co., for failure to establish an agency at Ponce de Leon within the time as ordered by the Commission be and the same is hereby dismissed.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 1st day of October, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 28.

RAILROAD COMMISSION, STATE OF FLORIDA.
APPLICATION OF TALLAHASSEE BOARD OF
TRADE FOR BETTER PASSENGER DEPOT FACILITIES AT TALLAHASSEE, FLORIDA.

This matter coming on to be heard on the application of the Tallahassee Board of Trade, due notice of which was given to the said railroad company on the 25th day of September, A. D. 1903, and the hearing thereon having been advanced to October 5, 1903, upon request of George P. Raney, Esq., representing said

railway company, and the Seaboard Air Line Railway Company being represented at the hearing by George P. Raney, Division Counsel; W. R. Hudson, Superintendent, and W. S. Seddon, Chief Engineer, and the Commission having heard the representatives of the Tallahassee Board of Trade and the representatives of the Seaboard Air Line Railway Company, and it appearing upon the hearing and investigation made by the Commissioners that the present passenger depot facilities at Tallahassee are inadequate;

IT IS HEREBY ORDERED, That you, the Seaboard Air Line Railway Company, do proceed to construct two passenger waiting rooms and shed according to the plans filed by you with this Commission on the 10th day of October, A. D., 1903, and in accordance with the agreement entered into by the representatives of the Seaboard Air Line Railway Company and the Committee of the Tallahassee Board of Trade.

AND IT IS FURTHER ORDERED, That you, the said Seaboard Air Line Railway Company, have until the 2nd day of January, A. D. 1904, to have said waiting rooms and shed completed.

That a failure on the part of you, the said Seaboard Air Line Railway Company, to have said waiting rooms, ticket office and shed, as set forth in this order, completed on the said 2nd day of January, A. D. 1904, will be a violation by the said Seaboard Air Line Railway Company, of the terms and provisions of this order, for which you, the said Seaboard Air Line Railway Company, will be subject to the penalty prescribed by the Railroad Commission Law of the State of Florida.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 10th day of October, A. D. 1903.

(Signed) JEFFERSON B. BROWNE. Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 29.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF THE ADOPTION OF A RULE
REGULATING THE ESTABLISHING AND ABOL-
ISHING OF DEPOTS AND AGENCIES FOR
RAILROAD AND EXPRESS COMPANIES.

This matter coming on to be heard after due notice to all the railroad companies and common carriers doing business wholly or in part within the State of Florida, the companies being duly represented and heard, and the Commissioners being fully advised in the premises,

IT IS HEREBY ORDERED, That each and every depot or station agency, on the line of the road, now maintained, conducted or used in Florida by any railroad or express company in this State for the transaction of business with the public, is hereby formally established and located at that point, and on the premises where the same is now being maintained and conducted. No such depot or agency as aforesaid now established or hereafter to be established, pursuant to order made by the Railroad Commission of Florida, or voluntarily by such company, shall be closed, removed, suspended or abolished without authority granted by this Commission, upon written application;

PROVIDED, however, That this rule shall have no application to any depot or station agency heretofore established, or that may hereafter be established for a special or temporary purpose, or not as a general depot or station agency.

PROVIDED, further, That whenever any depot or station agency is established it shall be the duty of the railroad company to file in the office of the Railroad Commission, within 30 days after the establishment thereof, all information needed for a full and proper understanding of all the interests to be affected thereby, showing

the necessity for, and purpose of, establishing such depot or station agency.

PROVIDED, further, That it shall be the duty of all railroad and express companies operating in the State of Florida, to file in the office of the Railroad Commission, within 30 days from the date of this order, a list of all depots or station agencies, now being operated by them for special or temporary purposes, giving with reference to each of them the information hereinbefore required as to the agencies to be established in the future.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 27th day of October, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 30.

RAILROAD COMMISSION, STATE OF FLORIDA.
IN THE MATTER OF THE CLASSIFICATION OF
VELVET BEAN HULLS.

This matter coming on to be heard, after due notice to the railroad companies and common carriers doing business wholly or in part within the State of Florida, and the railroad companies being duly represented, and heard, and the Commissioners being fully advised in the premises;

IT IS HEREBY ORDERED, That Classification No. 1 of the Florida Railroad Commission be amended by the addition of the following:

Class
"VELVET BEAN HULLS, in sacks or barrels...M."

IT IS FURTHER ORDERED, That this order be effective on the 7th day of November, A. D. 1903.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 27th day of October, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 31.

RAILROAD COMMISSION, STATE OF FLORIDA.

APPLICATION OF THE VEGETABLE GROWERS ON THE LINE OF THE S. A. L. R. R. BETWEEN COLEMAN AND ST. CATHERINE FOR AMEND- MENT OF THE FRUIT AND VEGETABLE TAR- IFF NO. 3 TO FLORIDA BASING POINTS FOR BEYOND.

This matter coming on to be heard after due notice to the S. A. L. Railway Co., and the Commissioners having heard the representatives of the vegetable growers and Mr. E. D. Kyle, Asst. Gen. Frt. Agent of the S. A. L. Ry. Co., for said company, and the Commission being satisfied that the fruit and vegetable tariff No. 3, presented by the Florida Railroad Commission to Florida basing points or beyond should be amended;

IT IS HEREBY ORDERED AND ADJUDGED, That the vegetable rate for the use of the S. A. L. Ry. Co. for the stations in Florida hereinafter named to Jacksonville and Yulee, when destined to points north and beyond, shall be as follows, effective November 15th, 1903:

	Vegetables—Per standard crate of 50 lbs. Cents.
Coleman, Fla	11
Panasoffkee, Fla.....	11
Sumterville Junction, Fla.....	11

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Sumterville, Fla	11
Bushnell, Fla	11
St. Catherine, Fla	11
Withlacoochee, Fla	11
Lacoochee, Fla	11

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 30th day of October, A. D. 1903.

(Signed) JEFFERSON B. BROWNE. Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 32.

RAILROAD COMMISSION, STATE OF FLORIDA.

APPLICATION OF CITIZENS OF ASHMORE FOR
AN AGENCY AT THAT STATION.

This matter coming on to be heard after due notice to the Carrabelle, Tallahassee & Georgia Railroad Co., and said company having appeared and been represented and heard by S. D. Chittenden, Vice-President, and Fred. T. Myers, Counsel, and it appearing from the hearing and investigation made by this Commission that there is need for the re-establishing of the agency at Ashmore, and that the business at that station justifies an outlay of \$12.50 per month for an agent;

IT IS HEREBY ORDERED, That you, the Carrabelle, Tallahassee & Georgia Railroad Company, do establish an agency at Ashmore on the line of your road, and that you, the said Carrabelle, Tallahassee & Georgia Railroad Company are allowed fifteen days from this date to have such agency established. That a failure on the part of you, the said Carrabelle, Tallahassee & Georgia Railroad Company, to have such agency established at Ashmore within fifteen days from this date

will be construed by this Commission as a violation by the Carrabelle, Tallahassee & Georgia Railroad Company, of the terms and provisions of this order, for which you, the said Carrabelle, Tallahassee & Georgia Railroad Company, will be held subject to the penalties prescribed by the Railroad Commission Laws of the State of Florida.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 31st day of October, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 33.

RAILROAD COMMISSION, STATE OF FLORIDA.
RATES ON GREEN SPHAGNUM MOSS IN CAR-
LOADS.

IT IS HEREBY ORDERED, That from and after the 15th day of November, A. D. 1903, the rates to be applied on Sphagnum Moss (green) in carloads shall be based on the present Class P rate.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 31st day of October, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 34.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF FREIGHT RATE FOR THE
TRANSPORTATION OF PHOSPHATE FROM
POINTS IN FLORIDA TO POINTS WITHIN THE
STATE OF FLORIDA.

Due notice having been given all the railroads doing business wholly or in part within the State of Florida, that there would be a meeting of the Railroad Commission in the City of Jacksonville on the 16th day of November, A. D. 1903, for the purpose of considering the adoption of a freight rate of one cent. per ton per mile on phosphate shipped from points within the State of Florida to points within said State, except to such points where the proposed rate would raise the rate now in force to such points, at which time all railroad companies and common carriers would be given an opportunity to be heard and show cause, if any they had, why the proposed rates should not be adopted.

In accordance therewith the Commissioners met at the Board of Trade rooms in the City of Jacksonville on the said 16th day of November, and the railroads were given an opportunity to be heard, and answers were filed by the Atlantic Coast Line Railroad, Seaboard Air Line Railway, and the Jacksonville and Southwestern Railroad, and requests made by them that they be given until November 28th in which to file their briefs and supplemental briefs, which request was granted, and the briefs having been received by the Commissioners, and duly considered by them in connection with the proposed reduction in the phosphate rate, and the Commissioners being satisfied that some of the present freight rates on phosphate from points in the State of Florida to points within the State are unreasonably high, and should be reduced and based upon a mileage rate;

IT IS THEREFORE ORDERED BY THE RAILROAD COMMISSIONERS OF THE STATE OF FLORIDA,
That the rate to be charged by all railroads and com-

mon carriers doing business wholly or in part within the State of Florida, for the transportation of phosphate from points in the State to points within the State, shall not exceed one cent per ton per mile.

Provided, however, That where the rate of one cent per ton per mile will raise any rate now in operation, that said rate of one cent per ton per mile shall not be effective, but the rate as now charged by the railroad companies is hereby adopted by the Railroad Cmmissioners as their rate between such points.

IT IS FURTHER ORDERED, That where a shipment of phosphate shall pass over two or more railroads in reaching its destination within the State of Florida, the initial line may charge one and one-half cents per ton per mile for the first ten miles which said phosphate shall be hauled.

IT IS FURTHER ORDERED, That where phosphate from points in Florida, passes over two or more roads in reaching its destination within the State of Florida, that the provisions of Rule 19, Governing Joint Rates, is hereby modified, so that the initial road shall have the right to deliver the shipment to the delivering road at such junctional point within the State of Florida as it may desire,

Provided, however, That the rate charged for such shipment shall be based upon the shortest mileage between the point of shipment and the place of destination.

IT IS FURTHER ORDERED, That this rate shall be effective on and after January 15, 1904.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 17th day of December, A. D. 1903.

Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 35.

RAILROAD COMMISSION, STATE OF FLORIDA.
AMENDMENT OF RULE 19, GOVERNING JOINT
RATES.

Due notice having been given to all the railroads doing business wholly or in part within the State of Florida, that there would be a meeting of the Railroad Commissioners in the city of Jacksonville on the 17th day of November, A. D. 1903, for the purpose of considering the adoption of an amendment to Rule 19, governing Joint Rates, at which time all railroad companies and common carriers would be given an opportunity to be heard and show cause, if any they had, why the proposed amendment should not be adopted.

At the request of the railroad companies the hearing was advanced to 2:30 p. m., November 16th, at the Board of Trade rooms in the city of Jacksonville, at which time the railroads were given an opportunity to be heard, and the Commissioners being satisfied that the proposed amendment was reasonable and just;

IT IS THEREFORE ORDERED BY THE RAILROAD COMMISSIONERS OF THE STATE OF FLORIDA, That Rule 19 of the Rules and Regulations of the Florida Railroad Commission, Governing the Transportation of Freight is hereby amended to read as follows:

"On all shipments of freights except classes L, N, O, & P. not governed by Rule No. 1, originating and terminating in this State, which shall pass over the whole or portions of two or more roads, not under the same control, the maximum rates charged on such shipments shall not be greater than the sum of the local rates on such freights less ten (10) per cent for the distance hauled over each road. The total rate thus ascertained on such freights from the point of shipment to the point of destination, shall be divided in such proportions between the roads over which such freights pass, so as

to give to each road interested in the shipment its local rate less ten (10) per cent for the distance such shipment is hauled, conditioned upon the initial line delivering the traffic to the delivering road at its nearest junctional point.

On classes L, N, O, & P, the Joint Rate shall not exceed the sum of the local rates on such freight.

Nothing in this Rule shall be construed to prevent the total of any Joint Rate made under this Rule from being divided in such proportions between the roads interested in the same as they may agree upon, but a failure to so agree between the roads interested shall in no way affect the total Joint Rate to be charged and collected on or work delay in the transportation of such freight, or be subject of appeal to the Commission by the roads at interest."

IT IS FURTHER ORDERED, That the amendment to Rule 19 set out above be effective on all the railroads and common carriers doing business wholly or in part within the State of Florida on and after January 20th, 1903.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Fla., this 22nd day of December, A. D. 1903.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 36.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF THE APPLICATION FOR
THE ESTABLISHING OF AN AGENCY AT
FAIRBANKS, FLORIDA.

This matter coming on to be heard upon the applica-

58 RAILROAD COMMISSION, STATE OF FLORIDA.

tion of citizens of Fairbanks, Florida, after due notice to the Seaboard Air Line Railway Company, a railroad company and common carrier doing business in the State of Florida, and the said Seaboard Air Line Railway Company being duly represented and heard on the 17th day of November, A. D. 1903, and the Commissioners being fully advised in the premises;

IT IS HEREBY ORDERED, That you, the Seaboard Air Line Railway Company, do establish an agency at Fairbanks, Fla., and you the Seaboard Air Line Railway Company are hereby allowed until the 1st day of February, A. D. 1904, to have said agency established.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 8th day of January, A. D. 1904.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 37.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF THE APPLICATION FOR
THE ERECTION OF A DEPOT AT PALMER,
FLORIDA.

In October, 1903, the Commissioners received a petition from the citizens of Palmer, Florida, praying for the erection of a depot at that place.

It was alleged in the petition that the citizens of Palmer had built a depot without any expense to the railroad company and presented it to them, and that it had been destroyed by fire caused by sparks from one of the company's engines.

The Commissioners gave notice of the complaint to the

S. A. L. Ry., and set the matter down for hearing at Jacksonville, Florida, November 17th.

The people of Palmer were represented at the hearing by Mr. G. L. Taylor, and the railroad company by Mr. F. K. Huger and Mr. A. P. Connelly, who presented the facts for their respective interests. There being some differences of opinion between the representatives of the town of Palmer and the railroad people as to the amount of business that had heretofore been done at Palmer, and what could reasonably be expected from that point if the depot should be rebuilt, the Commissioners adjourned the hearing until such time as they could communicate with the people living in the vicinity of Palmer, and letters were written to a number of parties, whose names were furnished the Commissioners by Mr. G. L. Taylor, and their replies received in due time.

That the depot was built by the people of Palmer without any cost to the railroad, and that it was destroyed by fire caused from sparks from one of the railroad company's engines was not disputed, and if these were the only matters to be considered the Commissioners would have no hesitation in ordering the station rebuilt; and we feel constrained to say that owing to the peculiar circumstances of this case—the depot having been built by the people of Palmer without cost to the railroad company, and the further fact that it was destroyed by the act of the railroad company itself—we consider this a case that should appeal to the sense of justice of the railroad company, and prompt them to build some place where the people of Palmer could store their freight.

The Commissioners, however, must consider among other things, the amount of business done at any point before they require the railroad company to go to the expense of erecting a depot, and, from all the facts before us, we do not feel justified in making an order requiring the station to be built, and the application is therefore refused.

60 RAILROAD COMMISSION, STATE OF FLORIDA.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 8th day of January, A. D. 1904.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 38.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF CHARGES AGAINST THE SEABOARD AIR LINE RAILWAY COMPANY FOR VIOLATION OF RULE 21 OF THE RULES OF THE COMMISSION "GOVERNING THE TRANSPORTATION OF FREIGHT."

This matter coming on to be heard after due notice to the Seaboard Air Line Railway Company, and the Seaboard Air Line Railway Company being represented and heard on the 15th day of February, A. D. 1904, and the Commission being fully advised in the premises;

IT IS HEREBY ORDERED, That the case against the Seaboard Air Line Railway Company for violation of Rule 21 be, and the same is hereby dismissed.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 15th day of February, A. D. 1904.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 39.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF CHARGES AGAINST R. L.
DOWLING FOR VIOLATION OF RULE 9 OF
THE "GENERAL RULES" OF THE RAILROAD
COMMISSION OF FLORIDA.

This matter coming on to be heard after due notice to R. L. Dowling, and the said R. L. Dowling being represented and heard on the 15th day of February, A. D. 1904, and the Commission being fully advised in the premises;

IT IS HEREBY ORDERED, That the case against R. L. Dowling, for violation of Rule 9 of the "General Rules," be and the same is hereby dismissed.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the city of Tallahassee, Florida, this 15th day of February, A. D. 1904.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

ORDER NO. 40.

RAILROAD COMMISSION, STATE OF FLORIDA.

IN THE MATTER OF THE VIOLATION OF ORDER
NO. 28 OF THE RAILROAD COMMISSION OF
THE STATE OF FLORIDA, BY THE S. A. L.
RAILWAY CO.

This matter coming on to be heard after due notice to the Seaboard Air Line Railway Company, and the Seaboard Air Line Railway Company being represented and heard by the Railroad Commission of the State of Florida, and the Commissioners being fully advised in the premises;

IT IS HEREBY ORDERED, That the case against the Seaboard Air Line Railway Company for violation of

62 RAILROAD COMMISSION, STATE OF FLORIDA.

Order No. 28 of the Railroad Commission be, and the same is hereby, dismissed.

Done and ordered by the Railroad Commissioners of the State of Florida, in session at their office in the City of Tallahassee, Florida, this 15th day of February, A. D. 1904.

(Signed) JEFFERSON B. BROWNE, Chairman.

Attest: R. C. DUNN, Secretary.

STATEMENT OF RECEIPTS AND EXPENSES OF
THE SOUTHERN EXPRESS COMPANY WITHIN
THE STATE OF FLORIDA FOR THE YEAR
ENDING JUNE 30, 1903.

Receipts	\$123,256 54
Expenses:	
Transfer expenses	\$910 57
Losses and damages	1,418 93
General salaries and expenses ..	8,863 78
Accounting department	13,485 50
Stationery and supplies	4,913 90
Superintendents salaries and ex- penses	3,557 03
Route agents salaries and expen- ses	4,603 42
Messengers salaries and expen- ses	13,600 70
Agents salaries and office expen- ses	56,280 00
Other expenses	2,609 98
Taxes	2,960 48—\$113,204 29
Net earnings	\$10,052 25

APPENDIX B.
RULES AND REGULATIONS.

RULES AND REGULATIONS

FOR THE

Government of the Transportation of Persons and Property
On the Railroads in Florida.

RAILROAD COMMISSION, STATE OF FLORIDA.

Tallahassee, Fla., Feb. 29, 1904.

The following Rules and Regulations are prescribed for the government of the transportation of persons and property by the railroad companies and common carriers doing business wholly or in part within the State of Florida, all others conflicting therewith being hereby repealed.

JEFFERSON B. BROWNE, Chairman.

JOHN. L. MORGAN,

R. HUDSON BURR,

Commissioners.

ROYAL C. DUNN, Secretary.

Sec. 1.—General Rules.

COMPLAINTS.

1. All complaints made to the Commission shall be in writing, and shall distinctly set forth the grounds of complaint. In like manner all defenses shall be in writing, and distinctly set forth the grounds of defense.

MONTHLY AND ANNUAL REPORTS.

2. Each railroad company shall make and file in the office of the Commission by the last day of each month a report of its earnings and operating expenses for the preceding month, according to the form prescribed by the Commission. Also, by the last day of each month

shall make monthly report to the Commissioners of the number of miles or fractions thereof of main line, branches, spurs and side-track constructed during the month previous to the making of the report; shall report the construction of depots or other buildings, giving the dimensions of such depots or other buildings; shall report all agreements entered into with other railroad companies for the construction of joint terminal facilities or union depots, or terms of agreement for participation in terminals or depot facilities of other companies. Also, on or before the first day of September of each year an annual report of its earnings, operating expenses and general operations for the preceding year, ending June 30th, in accordance with section 10, Railroad Commission Law, approved June 3, 1899. Also, on such forms as the Railroad Commissioners shall prescribe, shall make annual report of the organization, capitalization, traffic earnings, etc., as the same existed on the 30th day of June immediately preceding the making of this report, as required under section 20 of the Railroad Commission Law, approved June 3, 1899. The monthly reports to be verified by the affidavits of the General Manager (if there be one) or Superintendent or other principal officer in charge, and the Treasurer or Auditor; the annual reports to be verified by the affidavits of the President, Superintendent or General Manager, and Auditor or Treasurer.

SECRET REDUCTIONS, REBATES, ETC.

3. There shall be no secret reduction of rates of freight or passenger fares, and no rebate, drawback or other advantage in any form shall be given or paid, either directly or indirectly, upon shipments made or service rendered to any person not allowed to all persons under like circumstances and conditions, but the same shall be uniform to all, and public.

POSTING SCHEDULES, ETC.

4. Each railroad company shall post in a conspicuous place, and keep the same continuously posted, at each of its stations where there are agents, a copy of the schedule of freight and passenger rates revised and adopted for the use of such company by the Commission; a copy of all the rules and regulations prescribed by the Commission for the government of the transportation of freight and passengers applicable on its lines of road, and a copy of the official classification; also copies of all changes made, whether the same shall be made by such railroad company or by the Commissioners; also a table of distances between each station; and when any change in said schedule of rates or classification is made, either by the Commission or any railroad company, a copy of said change shall be immediately furnished the office of the Commissioners and shall be posted in the same manner as above.

RATES APPLY IN BOTH DIRECTIONS.

5. The rates prescribed by the Commission shall (except in cases specified) apply in either direction.

BASIS OF COMPUTING RATES.

6. In computing rates for the transportation of property and passengers, the mileage of the shortest available practical route shall be used. No railroad doing business in the State shall charge more for the transportation of property or passengers between any intra-State points than the lowest rates between such points thus computed.

INCREASED RATES.

7. In no case shall any railroad or common carrier doing business wholly or in part within the State of Florida advance or increase any special rate or other rates authorized or prescribed by the Railroad Commis-

sion, without first submitting the proposed increased rate or rates to the Railroad Commissioners and receiving their approval.

BOOKS AND PAPERS TO BE FURNISHED.

8. Each railroad company or common carrier doing business in the State of Florida shall furnish to the Railroad Commission on demand any books or papers in the possession of said railroad company or common carrier, and a written transcript or copy of any paper in the possession of said railroad company or common carrier which may appear to the Commission as necessary to aid them in the discharge of their duty.

TRAFFIC ARRANGEMENTS, ETC., BETWEEN RAILROADS.

9. Copies of all rate sheets, tariffs and circular orders issued, and all contracts and agreements between railroad companies as to the rates of freight and passenger tariffs, and all arrangements and agreements whatever as to the division of earnings of any kind by competing or connecting lines of railroad doing business in this State, shall be submitted to the Commission for inspection, revision and approval.

RIGHT TO MODIFY OR SUSPEND RULES.

10. The Commissioners reserve the right to suspend or modify the enforcement of any of their rules, regulations, rates, etc., at discretion when, in their opinion, the conditions are such that a strict enforcement of the same would work hardship or injustice.

Sec. II. — Rules Governing Transportation of Passengers.

BAGGAGE.

1. Each passenger shall be entitled to free transportation of baggage not exceeding 150 pounds in weight.

LESS THAN MAXIMUM RATES MAY BE CHARGED.

2. Railroads will not be prohibited from charging less than the rates prescribed for the transportation of passengers, provided such charge is not an unjust discrimination in favor of or against persons or localities.

MINIMUM FARE.

3. Ten (10) cents as a minimum fare may be collected where the regular fare would be less than that sum.

COMPUTATION OF FRACTIONS.

4. Where the fare for any distance does not end in 0 or 5, sums ending in $2\frac{1}{2}$ or over may be counted as 5, and sums less than $2\frac{1}{2}$ as 0. For example: For $42\frac{1}{2}$ cents collect 45, and for 42 cents collect 40. Nothing in this rule shall prevent any railroad company from giving the exact change in cents.

FREE OR REDUCED RATES, EXCURSIONS, ETC.

5. A railroad company shall not be prevented from the free carriage of destitute, or homeless persons transported by charitable societies and the necessary agents employed in such transportation, or from the issuance of mileage, excursion, commutation or round trip passenger tickets; or from giving free carriage to its own officers and employes; or to prevent the principal officers

of any railroad company or companies from exchanging passes or tickets with other railroad companies for their officers and employes; or free carriage or reduced rates to persons in charge of live stock shipped from the points of shipment to destination and return; or from issuing second-class tickets, for the holders of which second-class tickets so issued second-class accommodations shall be furnished.

POSTING ARRIVAL OF DELAYED TRAINS.

6. When any passenger train on any railroad in this State shall be more than one hour behind the scheduled time, it shall be the duty of the said railroad company to bulletin and keep posted at every open telegraph station along its line in the direction in which said train is going the time such train is behind the schedule time and the time of its arrival as nearly as can be approximated, but passengers acting upon this information will do so at their own risk.

Sec. III.—Rules Governing the Transportation of Freight.

CONNECTING RAILROADS UNDER SAME MANAGEMENT.

1. All connecting railroads which are under the management or control, by lease, ownership or otherwise, of one and the same company, and all connecting roads the majority of whose stock is owned or controlled, either directly or indirectly, by one of the connecting lines, shall, for the purpose of transportation, in applying their schedules of freight rates, be considered as constituting but one and the same road, and the rates shall be computed as upon parts of one and the same road, unless otherwise specified. The fact that each of

said roads has a separate board of directors shall not prevent the application of this rule. Whenever any railroad company owns and operates in connection with its road, and for the purpose of transporting its cars, freight or passengers, any steamer or other water craft, such steamer or water craft shall be deemed a part of its said road.

MAXIMUM RATES MAY BE REDUCED.

2. The schedule of rates allowed and adopted by the Railroad Commissioners for each road are maximum rates, which shall not be transcended. They may, however, carry at less than the rates allowed and adopted; provided, that, if they carry for less for one person, they shall, for the like service, under similar circumstances and conditions, carry for the same lessened rates for all persons except as mentioned hereafter; and if they adopt less freight rates for one station, they shall make a reduction of the same per cent. at all stations along the line of road, so as to make no unjust discrimination as against any person or locality. But when at any point within this State there are competing lines of transportation, any railroad company injuriously affected thereby may, at such competing point, make rates below those allowed or adopted, to meet such competition, without making a corresponding reduction along the line of road.

The Commissioners may entertain application for temporary modification of so much of this rule as requires the general reduction of rates to all stations when made to any station, when in their judgment a local and temporary cause may justify such modification, as, for instance, epidemic, floods, drouths, storms, or other exigencies.

RAILROADS MUST ACT AS COMMON CARRIERS.

3. No railroad company shall decline or refuse to act as a common carrier to transport any article proper for transportation, and a failure to transport such article within a reasonable time after the same has been offered for transportation shall be deemed a violation of this rule.

COMPUTATION OF PERCENTAGES.

4. In the computation of percentages, if, after the percentage prescribed shall have been added or subtracted, as the case may be, should there be a fraction, any fraction of a cent less than one-half cent shall be discarded, and any of one-half cent or over may be counted as one cent.

RATES ON SMALL SHIPMENTS.

5. The minimum charge on a single shipment of one class from one consignor to one consignee shall be computed at the actual weight, at the class or commodity rate to which it belongs, provided the charge shall not be less than twenty-five cents.

If the shipment contains articles in different classes and in separate packages, the charge shall be computed at the actual weight of each package, at the class or commodity rate to which it belongs, provided the aggregate charge on the shipment shall be not less than twenty-five cents.

If a package contains articles in two or more classes, the charge shall be computed at the actual weight of the package, at the highest class or commodity rate to which any of the articles belong, provided the charge shall not be less than twenty-five cents.

FREE OR REDUCED RATES.

6. Railroad companies shall not be prevented from the carriage, storage or handling of property, free or at reduced rates, for charitable purposes, or to and from fairs and expositions for exhibition thereat.

FREIGHTS EXEMPT FROM RULE 2.

7. The rates specified or hereafter to be allowed for ores, sand, clay, rough stones, common brick, bone, lumber, shingles, laths, staves, empty barrels, wood, straw, shucks, hay, fodder, corn in the ear, tan bark, turpentine, rosin, tar, sawdust, household goods, moss, palmetto leaves and heads, melons by the carload, are maximum rates; but the railroads are left free to reduce the same at discretion; and all such rates are exempt from the operation of Rule 2; provided, that all such rates made by any railroad under this rule shall be submitted to the Commission and approved by them. No rates have been prescribed for articles in the classification designated by the letter "S." Such articles are subject to special contract. The Commission will entertain complaints of excessive charges for transportation of such articles in all cases, except where the price charged was according to contract between the shipper and carrier.

SHIPPERS TO LOAD AND UNLOAD.

8. Consignors and consignees will be required to load and unload bulk freight in carloads unless otherwise provided by special agreement.

CHARGES FOR HANDLING HEAVY FREIGHT.

9. The charges for handling extra-heavy freight may be as follows:

Under 2,000 pounds, no charge for extra handling.

2,000 pounds and under 3,000, \$3.00 for extra handling.

3,000 pounds and under 4,000, \$5.00 for extra handling.

4,000 pounds and under 5,000, \$7.00 for extra handling.

5,000 pounds and under 6,000, \$8.00 for extra handling.

6,000 pounds and under 7,000, \$10.00 for extra handling.

Over 7,000 pounds, subject to special contract.

CARLOADS, WEIGHT OF CARLOAD, CARLOAD CONSIGNMENTS, ETC.

10. In all cases in which the classification provides a rate per 100 pounds, per ton, or per barrel, giving to carload shipments lower rates than apply to less-than-carload shipments, the standard minimum weight of a carload shall be 24,000 pounds, unless otherwise specified. Where the actual weight loaded in a car is in excess of the minimum weight, such excess may be charged for in proportion to carload rates; provided, that in no case shall the amount collected on less than a carload exceed the price per carload.

Carload rates apply to the carload and more made by one shipper at one time to one and the same point of delivery to the same consignee, although the same may in fact be carried by the railroad to the point of delivery in lots less than the amount recognized as a carload.

FERTILIZER—ARTICLES EMBRACED IN.

11. The term "fertilizers" embraces the following and like articles, when intended to be used as fertilizers, to-wit: Sulphate of ammonia, ashes, bone black, ground and dissolved bone, bone dust, castor pomace, cottonseed meal, cottonseed ashes, cotton seed, fish scrap, guano, super-phosphates, gypsum, kainit, german salts,

nitre cake, nitrate and sulphate of soda, oil, cake potash fine-ground plaster, salt cake, saltpeter, sulphur, muck, tank stuffs, and tobacco dust and sweepings, and like articles when intended to be used as fertilizers.

L. C. L. SHIPMENTS.

12. In no case shall the amount collected on L. C. L. shipments exceed the charges per carload for the same class of goods; nor shall the charge for a car fully loaded exceed the charge for the same property if taken as a less-than-carload shipment.

ESTIMATED WEIGHTS.

13. All articles will be charged at GROSS WEIGHT, without regard to weight given by shippers and inserted in bills of lading; except that when an article is classified to be accepted at an estimated weight, such estimated weight will apply. When the actual weights of the articles named below *cannot be ascertained at point of shipment, or at destination, or in transit*, the following estimated weights shall govern:

ARTICLE.	WEIGHT.
Cement, Portland, per barrel.....	400 lbs.
Cement, except Portland, per barrel.....	300 lbs.
Clay, per cubic yard.....	3,000 lbs.
Coal, per bushel.....	80 lbs.
Coke, per bushel.....	40 lbs.
Gravel, per cubic yard.....	3,200 lbs.
Laths, green, per 1,000.....	530 lbs.
Laths, seasoned, per 1,000.....	450 lbs.
Lime (Rockland), per barrel.....	230 lbs.
Lime (other than Rockland), per barrel.....	210 lbs.
Lime, per bushel.....	80 lbs.
Lumber, Ash or Black Walnut, green, per 1,000 feet.....	4,500 lbs.
Lumber, Ash or Black Walnut, seasoned, per 1,000 feet.....	4,000 lbs.

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Lumber, Elm, Hickory or Oak, green, per 1,000 feet	6,000 lbs.
Lumber, Elm, Hickory or Oak, seasoned, per 1,000 feet	4,500 lbs.
Lumber, White Pine or Poplar, green, per 1,000 feet	4,000 lbs.
Lumber, White Pine or Poplar, seasoned, per 1,000 feet	3,000 lbs.
Lumber, Yellow Pine, green, per 1,000 feet ..	4,500 lbs.
Lumber, Yellow Pine, seasoned, per 1,000 feet	4,000 lbs.
Lumber, Yellow Pine Boards, two inches and less, kiln dried and dressed, per 1,000 feet	3,000 lbs.
Lumber, N. O. S., green, per 1,000 feet	6,000 lbs.
Lumber, N. O. S., seasoned, per 1,000 feet ..	4,000 lbs.
Sand, per cubic yard	3,000 lbs.
Shingles, green, per 1,000	400 lbs.
Shingles, seasoned, per 1,000	350 lbs.
Staves, Headings or Hoop-poles, green, car loaded to depth of forty-three inches, per car	30,000 lbs.
Staves, Headings or Hoop-poles, seasoned, car loaded to depth of fifty inches, per car ..	30,000 lbs.
Stone, not dressed, per cubic foot	160 lbs.
Tan bark, green per cord	2,600 lbs.
Tan bark, seasoned, per cord	2,000 lbs.
Telegraph poles, fence posts or rails per cord	3,500 lbs.
Turpentine, in barrels, per barrel	520 lbs.
Wood, green, per cord	3,500 lbs.
Wood seasoned, per cord	3,000 lbs.

ARTICLES TOO LONG OR BULKY TO BE
LOADED IN BOX CARS.

14. Unless otherwise specified, articles too long or too bulky to be loaded in box cars, but not requiring two

or more open cars, shall be charged at actual weight; provided, that in no case shall the charge on a single consignment be less than 4,000 pounds at the first-class rate.

CHARGE FOR SWITCHING OR TRANSFERRING CARS WHEN PASSING OVER TWO OR MORE ROADS.

15. A charge of no more than two dollars per car will be allowed for switching or transferring a car from any point on any road or warehouse within a space of one mile from starting point, without regard to weight or contents.

When in the transfer of a car between said points it is necessary to pass over the line of any intermediate road or roads, the maximum charge of two dollars shall be equitably divided between the roads at interest.

When a charge is made for the transfer of loaded cars between such points no additional charge shall be made for the return of the empty cars.

DELIVERY OF CARS TO CONNECTING ROADS.

16. The Commission will prescribe particular rules and conditions for the delivery without delay to any connecting road of the same gauge all cars consigned to points beyond such connecting roads, so as to promote speedy transportation and prevent unjust discrimination. Due regard will be had in each instance to the attainment of such purposes.

RIGHTS OF SHIPPER TO ROUTE FREIGHTS.

17. The right of a shipper to direct by what line or lines of railroad in this State his shipments shall be

transported within the State of Florida shall be observed by all railroads in this State.

COMMODITY RATES TO GOVERN.

18. Commodity rates authorized by the Commission shall invariably govern, whether higher or lower than class rates.

JOINT RATES.

19. On shipments of freight except classes L., N., O. and P., not governed by Rule No. 1, originating and terminating in this State, which shall pass over the whole or portions of two or more roads, not under the same control, the maximum rate charged on such shipments shall not be greater than the sum of the local rates on such freights less ten (10) per cent for the distance hauled over each road. The total rate thus ascertained on such freights from the point of shipment to the point of destination shall be divided in such proportions between the roads over which such freights pass, so as to give to each road interested in the shipment its local rate less ten (10) per cent for the distance such shipment is hauled, conditioned upon the initial line delivering the traffic to the delivering road at its nearest junctional point.

On classes L., N., O. and P., the Joint Rate shall not exceed the sum of the local rates on such freight.

Nothing in this Rule shall be construed to prevent the total of any Joint Rate made under this Rule from being divided in such proportions between the roads interested in the same as they may agree upon, but a failure to so agree between the roads interested shall in no way affect the total Joint Rate to be charged and collected on or work delay in the transportation of such freight, or be a subject of appeal to the Commission by the roads at interest.

SETTLEMENT OF CLAIMS FOR OVER- CHARGES.

20. All overcharges on freight by any railroad or common carrier doing business in the State of Florida shall be settled within thirty (30) days after demand upon the agent at the delivering depot (and surrender of shipping receipt) by consignee or person paying the freight.

Whenever an overcharge on freight has been made on a shipment over two or more railroads or common carriers, it shall be settled by the delivering road or carrier.

If the overcharge is made on a shipment to a flag station, then the demand to be made on the agent of the regular station to which the same was billed.

This rule will apply to claims made through the Railroad Commission, except that demand for settlement will be made upon the Traffic Manager and General Freight Agent of the company.

FREIGHT RECEIPTS.

21. All railroad companies doing business in this State shall upon demand issue duplicate freight receipts to all shippers of freight, in which shall be stated the class or classes of freight shipped, freight charges over the railroad issuing such receipt, and, as far as practicable, shall state the charges upon the same over the connecting roads transporting such freight; and in all cases the railroads receiving such freight shipped shall be held in all the courts of this State as responsible for the prompt and safe delivery of same to its point of destination within a reasonable time required for its transportation, which reasonable length of time shall be determined after due investigation by said Railroad Commissioners. When the consignee of such freight presents the railroad receipt to the agent of the railroad last transporting said freight, such agent shall deliver

the articles shipped upon the payment of the rates charged for the class of freight as stipulated in said railroad receipt.

DELIVERY OF FREIGHTS.

22. Railroad companies shall deliver to each consignee of freight the article or articles mentioned in the receipt (or bill of lading) on the payment of the lawful rate for the class or classes of freight transported, and the consignee shall not be compelled to pay for any article or articles not received by him. Where a part of the articles mentioned in the receipt shall reach the point of destination, it shall be the duty of the railroad company at such point to deliver the same upon the payment by the consignee of the freight charges on said article or articles notwithstanding the remainder of the articles mentioned in the receipt may have been delayed or lost.

EQUIPPING LUMBER CARS.

23. Whenever application is made by any person to any railroad company or common carrier engaged in business in the State of Florida for flat cars on which to load any lumber or timber, in accordance with the provisions of Section 5213, Laws of Florida, approved June 4, 1903, the equipment furnished with said cars in accordance with the provisions of said act shall be capable of being readily removed or lowered, so that the lumber or timber may be loaded on or off the said cars without being obstructed, impeded, or inconvenienced by such equipment.

ESTABLISHING AND ABOLISHING STATION AGENCIES.

24. Each and every depot or station agency, on the line of the road now maintained, conducted or used in Florida by any railroad or express company in this State

for the transaction of business with the public, is hereby formally established and located at the point, and on the premises where the same is now being so maintained and conducted. No such depot or station agency as aforesaid now established or hereafter to be established, pursuant to order made by the Railroad Commission of Florida, or voluntarily by such company, shall be closed, removed, suspended or abolished without authority granted by this Commission, upon written application;

Provided, however, That this rule shall have no application to any depot or station agency, heretofore established, or that may hereafter be established for a special or temporary purpose, or not as a general depot or station agency.

Provided further, That whenever any depot or station agency is established, it shall be the duty of the railroad company to file in the office of the Railroad Commission, within thirty days after the establishment thereof, all information needed for a full and proper understanding of all the interests to be affected thereby, showing the necessity for, and purposes of establishing such depot or station agency.

Provided further, That it shall be the duty of all railroad and express companies operating in the State of Florida, to file in the office of the Railroad Commission, within thirty days from the date of this order, a list of all depots or station agencies, now being operated by them for special or temporary purposes, giving with reference to each of them the information hereinbefore required as to the agencies to be established in the future.

Sec. IV.—Rules and Regulations Governing the Transportation of Live Stock.

ESTIMATED WEIGHTS.

1. The weights given below are estimated weights and not actual, and are simply used to get the rating on live stock. (To illustrate: One horse, mule or horned animal is estimated at the same rate as 2,000 pounds of any kind of first-class freight at carrier's risk and second-class at owner's risk):

LIVE STOCK LESS THAN CARLOADS WILL BE TAKEN AT THE FOLLOWING ESTIMATED WEIGHTS.

One horse, mule or horned animal, except as specified below	2,000 lbs.
Two horses, mules or horned animals, except as specified below, in the same car and from the same shipper to the same consignee	3,500 lbs.
Each additional horse, mule or horned animal, except as specified below, in the same car and from the same shipper to the same consignee	1,000 lbs.
Stallions, jacks and bulls, each	3,000 lbs.
Each cow and calf together, not crated	2,500 lbs.
Each mare and foal, together	2,500 lbs.
Shetland ponies, any age, not crated	1,000 lbs.
Yearling cattle, except bulls, not crated, each	1,000 lbs.
Colts under one year old, except stallions, not crated	1,000 lbs.
Calves under one year old, not crated	1,000 lbs.
Calves under one year old, crated, each, actual weight, but not less than	100 lbs.
Sheep, crated, each, actual weight, but not less than	100 lbs.

Lambs, crated, each, actual weight, but not less than	100 lbs.
Hogs, crated, each, actual weight, but not less than	100 lbs.
Pigs, crated; each, actual weight, but not less than	100 lbs.
Sheep, lambs, hogs and pigs, L. C. L., will not be received unless crated.	
Goats, same as sheep.	
Kids, same as lambs.	
Cows, calves, colts, ponies, hogs, sheep, lambs and other animals, crated, actual weight, but not less than	100 lbs.
In no case shall the charge for less than a carload of live stock exceed the charge for a carload.	

MAXIMUM VALUATION OF LIVE STOCK SHIPMENTS.

	EACH.
Horses and mules, not over	\$ 75 00
Horned cattle, not over	30 00
Stallions, jacks and bulls, not over	150 00
Lambs, calves, hogs or sheep, not over	5 00
Mare and colt, together, not over	100 00
Cow and calf, together, not over	35 00

For every increase of one hundred per cent. or fraction thereof in valuation there shall be an increase of fifty per cent. in rates.

MIXED SHIPMENTS.

Mixed shipments of cattle, hogs, lambs, etc., may be taken in carloads at carload rates prescribed for the transportation of cattle, but carrier will be released from any damage to animals, whether caused by their own actions, or to each other—suffocation, exhaustion from heat and cold, and (if not haltered) from escape.

Shippers will be required to feed, water and care for

stock at their own expense. When food is furnished by carrier a charge will be made for the same and collected from consignee.

One, two or three cars of live stock will entitle the owner or his agent to be carried free to point of destination of consignment, on the train with the stock, to care for the same. Four to seven cars, inclusive, belonging to one owner, two men in charge; and eight cars or more belonging to one owner, three men in charge, which number is the maximum number of attendants that will be carried free for one shipment.

Return transportation not given to owners, agents or attendants.

APPENDIX C.
DEMURRAGE RULES.

Demurrage Rules.

The railroads doing business wholly or in part within the State of Florida are hereby authorized to operate the following Demurrage Rules:

RULE I.

FREIGHT SUBJECT TO CAR SERVICE CHARGES.

All freight in cars, whether full carload or not, shipped to one consignee and taking track delivery will be subject to car service regulations.

RULE II.

NOTICE TO CONSIGNEES.

Railroad companies shall give prompt notice by mail or otherwise to consignees of the arrival of goods, together with the weight and amount of freight charges due thereon as shown by way bills; and when goods or freight of any kind in carload quantities arrive, said notice must contain letters or initials of car, number of the car, net weight and the amount of freight charges due on the same. Storage and demurrage charges may be assessed if goods are not removed in conformity with the following rules and regulations. No storage or demurrage charges, however, shall, in any case, be allowed unless legal notice of the arrival of goods has been given to the owner or consignee thereof by the railroad company.

RULE III.

LEGAL NOTICE.

Legal notice referred to in these rules may be either actual or constructive. Where the consignee is personally served with notice of the arrival of freight, free time ends seventy-two (72) hours from the time of notification, not including Sundays or legal holidays. Constructive notice referred to consists of *posting notice by mail to consignee*. Where this mode of giving notice is adopted, there shall be twenty-four (24) hours additional free time to be added to the seventy-two (72) hours, to be computed from the time notice was mailed; provided, however, that if, in any case, when notice of arrival is given by mail, the consignee will make oath that neither he, his agents, nor employees have received such notice, then no demurrage charges shall be made until after legal notice, as above specified, is given.

RULE IV.

PER DIEM CHARGE.

A charge of one dollar (\$1.00) per car per day shall be made for detention of cars and use of track when cars are not loaded or unloaded within seventy-two (72) hours, not including Sundays and legal holidays; except when loaded with seed cotton, cotton seed in bulk, cotton seed hulls in bulk, fertilizer material in bulk, coal, bulk potatoes, bulk cabbage, brick, and dressed lumber (in box cars), ninety-six (96) hours will be allowed for *unloading*. It being understood that said car or cars are to be placed and remain accessible to the consignee for the purpose of unloading during the period in which held free of demurrage; that when the period of such demurrage charges commences, they are to be placed accessible to the consignee for unloading purposes on demand of the consignee; provided, however, that if the railroad company shall remove such car or cars after being so

placed, or in any way obstruct unloading of same, the consignee shall not be chargeable with delay caused thereby; provided, further, that when any consignee shall receive four or more cars during any one day taking track delivery, the said cars in excess of three shall not be liable to demurrage by any railroad company until after the expiration of ninety-six (96) hours.

Any fraction of a day shall be considered a day.

RULE V.

GOODS CONSIGNED TO ORDER OF SHIPPER.

When consignors ship goods consigned to themselves, it shall be the duty of the railroad companies to give legal notice to such consignees, or persons to whom shipping directions order delivery. This notice may be addressed by mail to the consignee at point of delivery, and demurrage will begin as in other cases of notice by mail; and the mailing of such notice shall be sufficient legal notice in such cases, whether the consignee actually receives the same or not.

RULE VI.

REFUSAL TO ACCEPT SHIPMENTS.

Where the consignee shall refuse to accept freight tendered in pursuance of the bill of lading, the carrier charged with the duty of delivery may give to the consignor legal notice of such refusal; and if he shall not, within three days thereafter, give direction for the re-shipment or unloading of such goods, he shall thenceforth become liable to such carrier for demurrage upon the car or cars in which they are stored to the same extent and at the same rate as such charges are now, under like circumstances by the rules of this Commission, imposed upon consignees who neglect or refuse, after notice of arrival to remove freight of like character from the cars of a carrier.

A consignee who has once refused to accept a consignment of goods shall not thereafter be entitled to receive the same, except upon payment of all charges for demurrage which would otherwise have accrued.

RULE VII.

CARS FOR DELIVERY ON TEAM TRACKS OR PRIVATE SIDINGS.

Sec. 1. Cars containing freight to be delivered upon carload delivery tracks or private sidings are to be delivered upon the tracks designated by consignee upon arrival, or as soon thereafter as the ordinary routine of yard work will permit.

Sec. 2. Cars containing property, the billing of which does not specify any particular delivery, and for which no standing or special order has been filed with carrier's agent within twenty-four (24) hours, will be considered as requiring general track delivery and shall be so placed after twenty-four (24) hours.

Sec. 3. Cars for unloading shall be considered placed when such cars are held in receiving yards awaiting orders from shippers or consignees, or when held for payment of freight charges, provided the railroad company could otherwise have placed such cars on delivery tracks accessible to the consignee for the purpose of unloading, except that it was consigned to private sidings already fully occupied and delivery therefore impracticable, detention is to be computed from time of notification.

RULE VIII.

CARS HELD FOR SHIPPING DIRECTIONS.

Cars detained or held for want of proper shipping instructions or by reason of improper or excessive loading (where loading is done by shipper) shall be subject to a demurrage charge of one dollar (\$1.00) per car for each

day or fraction of a day said car or cars are so detained or held. Likewise, when cars are promptly loaded and shipping instructions given, the railroad agent must immediately issue the bills of lading therefor; and if said car or cars are detained or held and not carried forward within forty-eight (48) hours, except perishable articles, which shall be moved within twenty-four (24) hours thereafter, said railroad company shall be liable to said shipper for the payment of one (\$1.00) dollar per car for each day or fraction of a day that said car or cars are thus detained or held.

RULE IX.

CONSIGNMENTS MORE THAN FOUR MILES DISTANCE.

A consignee living more than four miles from the depot, and whose freight is destined to his residence or place of business so located, shall not be subject to storage or demurrage charges allowed in the above rules until a sufficient time has elapsed after notice for said consignee to remove said goods by the exercise of *ordinary diligence*.

RULE X.

RAILROADS ALLOWED TO STORE PROPERTY.

Railroad companies are authorized to store such property in public warehouses at the expense of owner, if same is not removed before demurrage charges attach.

RULE XI.

PER DIEM CHARGE ALLOWED CONSIGNEES.

When any railroad company fails to deliver freight at the depot or to place loaded cars at an accessible place for unloading within seventy-two (72) hours (not including Sundays or legal holidays), computed from 10 a. m., the day after arrival of the same, the shipper or con-

signee shall be paid one dollar (\$1.00) per day for each day said delivery is so delayed.

RULE XII.

STORMY WEATHER.

Whenever the weather during the period of free time is so severe, inclement or rainy that it is impracticable to secure means of removal, or where, from the nature of the goods, removal would cause injury or damage, such time shall be added to the free period; and no demurrage charges shall be allowed for such additional time.

This rule applies to the state of the weather during business hours.

RULE XIII.

DISCRIMINATION AND EXEMPTIONS.

Railroads shall not discriminate between persons or places in storage or demurrage charges. If a railroad company collects storage or demurrage of one person, under the demurrage rules, it must collect of all who are liable. No rebate, drawback or other similar device will be allowed. If demurrage is collected by a railroad company at one point on its line, it must collect at all places on its line of those liable under the rules of the Commission;

Provided, That all package freight unloaded in depot or warehouse, which is not removed by the owners thereof from the custody of the railroad company within seventy-two (72) hours (not including Sundays or legal holidays) after legal notice of arrival, may be subject thereafter to a charge of storage for each day or fraction of a day that it may remain in the custody of the railroad company, as follows:

In less than carload quantities, not more than one cent per one hundred pounds per day.

In carload quantities, not more than one dollar (\$1.00) per car per day;

Provided, further, That in no case shall the amount collected for storage of a less than carload shipment exceed the amount authorized to be charged as storage or demurrage on a carload of similar freight for the same length of time when not unloaded from the car as provided by the Demurrage Rules.

Provided, further, That the Commission shall hear and grant applications to suspend the operation of this rule wherever justice shall demand this course.

RULE XIV.

OTHER DEMURRAGE CHARGES.

No other charges shall be made by any railroad company doing business wholly or part in the State of Florida for storage or demurrage except as provided in the foregoing rules, and these rules shall become effective December 23, 1901.

STATISTICS:

OPERATING EXPENSES OF RAILROADS IN FLORIDA DURING THE TWELVE MONTHS ENDING JUNE 30, 1903.

RAILROADS REPORTING.	Maintenance of ways and structures.	Maintenance of equipment.	Conducting transportation.	General ex- penses.	Total operating expenses.	Per cent- age of operating expenses to gross earnings.
Atlantic Coast Line.....	\$490,299.39	\$353,142.77	\$1,013,414.89	\$ 93,036.94	\$1,949,893.99	58.52
Alabama & Florida Division L. & N.....	5,081.75	3,127.85	7,759.06	424.09	16,392.75	71.50
Carrabelle, Tallahassee & Georgia.....	15,640.24	12,627.41	25,330.38	10,364.26	63,962.29	86.11
Florida East Coast.....	344,830.13	193,578.90	732,809.23	80,374.62	1,351,592.78	66.97
Gainesville & Gulf.....	10,446.26	5,608.52	19,834.37	6,470.79	42,359.94	72.10
Georgia, Florida & Alabama.....	8,326.73	4,765.44	14,076.41	3,587.18	30,755.76	115.30
Georgia Southern & Florida.....	54,232.14	65,813.86	101,007.51	14,961.49	236,015.00	92.46
Jacksonville & Southwestern.....	33,711.50	25,870.80	67,091.57	11,472.25	138,146.12	67.41
Live Oak & Gulf.....	4,027.23	910.91	4,915.48	1,092.40	10,946.02	74.34
Pensacola Division L. & N.....	120,476.00	62,851.19	176,746.67	10,399.05	370,472.91	69.05
Pensacola & Atlantic Division L. & N.....	117,995.06	74,649.93	157,001.18	15,104.77	364,750.94	69.76
Seaboard Air Line.....	427,850.16	418,122.10	1,386,641.18	142,513.14	2,375,126.58	83.43
South Georgia.....	1,640.60	1,020.79	3,795.76	1,292.98	7,750.13	94.00
Suwannee & San Pedro.....	6,785.59	1,384.15	12,017.05	2,489.38	22,676.17	157.20
Tavares & Gulf.....	5,360.21	2,868.22	4,801.62	2,478.76	15,508.81	07.08
Valdosta Southern.....	2,689.59	436.15	4,388.29	2,994.58	10,458.61	52.22
Yellow River.....	25,891.70	9,838.14	42,869.28	3,931.76	82,530.88	92.75
*St. Johns River Terminal Co.....	9,338.09	5,586.87	32,303.38	5,259.85	52,488.19	63.50
Total.....	1,684,622.37	1,242,204.00	3,806,753.31	408,248.19	7,141,827.87	-----

*From Nov. 1st., 1902 to June 30, 1903.

GROSS EARNINGS FROM OPERATIONS OF RAILROADS IN FLORIDA DURING THE YEAR ENDING JUNE 30, 1903.

ROADS REPORTING.	PASSENGER TRAIN EARNINGS.					Total freight earnings.	Total other earnings.	Total Gross earnings from operations.
	Passenger revenue.	Mail revenue.	Express revenue.	Extra baggage, storage and other items.	Total passenger earnings.			
Atlantic Coast Line	\$751,371.39	\$143,590.05	\$84,761.33	\$7,173.81	\$986,896.58	\$2,246,389.73	\$98,680.85	\$3,331,967.16
Alabama & Fla. Div. L. & N.	43,813.16	3,750.63	1,350.28	1,026.14	49,940.21	143,965.16	713.18	194,618.55
Carrabelle, Tallahassee & Georgia	20,712.84	3,826.52	3,245.41	290.90	28,075.67	32,480.48	13,723.92	74,230.07
Florida East Coast	788,948.12	80,368.20	158,717.13	-----	1,028,033.45	901,230.18	88,893.53	2,018,207.16
Gainesville & Gulf	10,545.02	1,813.24	6,510.17	-----	18,868.43	39,004.51	480.00	58,352.94
Georgia, Florida & Alabama	9,356.42	759.05	305.86	-----	10,421.33	15,095.91	297.76	25,815.00
Georgia, Southern & Florida	30,782.60	7,685.34	19,629.73	478.61	118,576.35	118,111.48	18,569.38	255,257.21
Jacksonville & Southwestern	10,126.93	1,500.00	-----	46.83	11,673.76	191,994.70	1,252.90	204,921.36
Live Oak & Gulf	998.60	757.44	-----	-----	1,756.04	11,570.76	1,396.76	14,723.56
Pensacola Division L. & N.	97,660.05	4,644.60	9,125.03	1,939.03	113,359.71	393,790.19	29,363.87	536,513.77
Pensacola & Atlantic Div. L. & N.	145,667.23	13,956.05	9,189.10	3,380.12	172,192.80	346,199.28	4,488.62	522,880.70
Seaboard Air Line	681,033.44	68,260.38	80,868.84	9,066.68	869,229.34	1,900,731.86	46,843.87	2,846,805.07
South Georgia	11,946.03	1,792.34	137.45	-----	13,875.87	44,650.58	2,443.02	60,969.47
Suwannee & San Pedro	8,730.33	256.23	17.18	-----	9,003.74	30,645.60	-----	39,649.34
Tavares & Gulf	1,242.20	1,258.12	878.69	-----	3,379.01	11,092.25	-----	14,471.26
Valdosta Southern	5,958.52	601.60	-----	-----	6,560.12	13,477.65	-----	20,037.77
Yellow River	10,538.37	698.82	133.93	-----	11,371.12	76,140.45	1,568.23	89,079.80
St. Johns River Terminal Co	-----	-----	-----	-----	-----	8,301.75	74,353.10	82,654.85
Total	2,689,431.37	335,518.61	374,870.13	23,393.42	3,423,213.53	6,584,922.52	383,068.99	10,391,205.04

MILEAGE OF RAILROADS IN FLORIDA, JUNE 30, 1903.

NAMES OF RAILROADS.	Miles of Main Track	Miles of Yard Track and Siding	Miles of Branches & Spurs	Total Mileage Operated
Atlantic Coast Line.....	896 58	159 07	332 53	1,388 18
Alabama and Florida.....	11 83	1 07	-----	12 90
Carrabelle, Tallahassee and Georgia.....	50 00	3 58	-----	53 58
Florida East Coast.....	484 95	53 94	-----	538 89
Gainesville and Gulf.....	48 00	2 00	-----	50 00
Georgia, Florida and Alabama.....	23 59	1 13	-----	24 72
Georgia, Southern and Florida.....	152 36	17 02	-----	169 38
Jacksonville and Southwestern.....	85 60	6 00	-----	91 60
Live Oak and Gulf.....	18 00	-----	2 00	20 00
Pensacola Division of the L. & N.....	46 77	29 18	-----	75 95
Pensacola and Andalusia.....	20 00	1 00	-----	21 00
Pensacola and Atlantic Division of the L. & N.....	160 47	10 03	-----	170 50
Pensacola, Alabama and Tennessee.....	23 30	2 35	-----	25 65
Seaboard Air Line.....	746 31	-----	7 68	753 99
South Georgia.....	12 41	-----	-----	12 41
Suwannee and San Pedro.....	43 00	-----	-----	43 00
St. Johns Terminal Co.....	6 39	10 97	-----	17 36
Tallahassee Southeastern.....	20 00	-----	-----	20 00
Tavares and Gulf.....	31 64	1 38	-----	33 02
Valdosta Southern.....	13 00	-----	-----	13 00
Yellow River Railroad.....	25 90	-----	-----	25 90
Total.....	2,929 10	298 72	342 21	3,561 03